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Letter dated 8 July 2008 from the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1540 (2004), and in accordance with paragraph 7 of resolution 1810 (2008), I have the honour to submit to the Security Council the report of the Committee on compliance with resolution 1540 (2004) through the achievement of the implementation of its requirements.

The Committee would appreciate it if the present letter, together with the report and its annexes, could be brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Jorge **Urbina**
Chairman
Security Council Committee established
pursuant to resolution 1540 (2004)

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Annex

Report of the Committee established pursuant to Security Council resolution 1540 (2004)

Summary

Since the adoption of Security Council resolution 1540 in April 2004, the Committee established pursuant to that resolution has made considerable progress in promoting full implementation of the resolution through its intensive work programmes. That work includes assisting the Security Council in monitoring the implementation of the resolution through the examination of relevant measures taken by all States Members of the United Nations, the organization of intensive outreach activities, the development of deeper and mutually beneficial cooperation with other Security Council counter-terrorism bodies as well as with global, regional, and subregional intergovernmental organizations, the creation of new tools to facilitate assistance and transparency, and the enhancement of its dialogue with individual States. In the present report the Committee expresses the belief that those activities substantially raised the awareness of the international community concerning the dangers associated with the potential nexus between the proliferation of weapons of mass destruction, their means of delivery and related materials, and non-State actors. Since the adoption by the Security Council of resolution 1673 (2006), the Committee's work has had a greater emphasis on implementation of resolution 1540 (2004), facilitating the efforts of Member States to prepare to address that nexus.

In the present report, the 1540 Committee identifies a number of specific measures that States have in place to implement resolution 1540, including steps they have taken since April 2006. They range from developing new institutional means to incorporate the obligations of resolution 1540 (2004) in national practices to adopting new legislation and enforcement measures, executing new policies and creating new assistance programmes directed towards implementation of the resolution.

The new reports submitted by a number of States since 2006 and the additional information received from other States, or otherwise identified from official governmental sources, have enabled the Committee to present a more complete picture of the measures already in place or planned in the near future. Thus, it has been possible to demonstrate a qualitative improvement in progress towards achieving full implementation of the resolution.

Notwithstanding that progress, the Committee concludes that Member States need to do far more than they have already done to implement resolution 1540 (2004). Consequently, achieving the goals of the resolution requires further attention by the Security Council and more intensive action, particularly on capacity-building and sharing lessons learned. Among other recommendations, the Committee believes that, consistent with Security Council resolution 1810 (2008), it should strengthen its clearing-house role for channelling assistance to States in need; increase tailored dialogue with and among States to identify assistance needs and assistance projects to meet them; and promote awareness of, make better use of and consider options for developing existing financial mechanisms in order to build capacity to implement resolution 1540 (2004). To those ends, it should also work more closely with global

and regional intergovernmental organizations and arrangements, within and outside the United Nations system, in fostering the sharing of experience, creating forums for discussion and developing innovative mechanisms to achieve implementation of the resolution.

Full implementation of resolution 1540 (2004) by all States will take time. Once it has been accomplished, vigilance and innovation will be needed to maintain effective policies. That task not only calls for a long-term commitment to the objectives of the resolution, but also the nurturing of a sense of urgency, given the gravity of the threat facing the international community.

I. Introduction

1. On 27 April 2006, the Security Council unanimously adopted resolution 1673 (2006), in which having considered the first report (S/2006/257 and Corr.1) of its Committee established pursuant to resolution 1540 (2004) (hereafter "the Committee"), the Council decided to extend the mandate of the Committee for a period of two years until 27 April 2008. In its resolution 1810 (2008), the Council decided to extend further the mandate of the Committee for a period of three years until 25 April 2011.

2. In paragraphs 5 and 6 of resolution 1673 (2006), the Security Council decided that the 1540 Committee should intensify its efforts to promote the full implementation by all States of resolution 1540 (2004) and would submit to the Council a report no later than 27 April 2008 on compliance by States with that resolution through the achievement of the implementation of its requirements. In paragraph 7 of resolution 1810 (2008), the Security Council extended the deadline for the submission of the Committee's report until 31 July 2008.

3. The present report is submitted in accordance with the above-mentioned decisions of the Security Council.

II. Organization of work

4. Following the decision to extend the mandate of the Committee, Ambassador Peter Burian of Slovakia, appointed by the Security Council on 4 January 2006, continued to serve as Chairman of the Committee, with Ghana, Japan and the United Kingdom of Great Britain and Northern Ireland performing the tasks of Vice-Chairmen. In January 2007 Japan was replaced by Indonesia.

5. On 3 January 2008, the Council appointed Ambassador Jorge Urbina of Costa Rica as the new Chairman of the Committee, while Croatia replaced Ghana as Vice-Chairman.

6. A Senior Political Affairs Officer of the Department of Political Affairs, assisted by other officers of that Department, continued to serve as Secretary of the Committee, while the Department/Office for Disarmament Affairs continued to provide substantive and logistical support to the Committee.

7. In accordance with paragraph 4 of resolution 1673 (2006), the Committee continued to be assisted by experts. On 15 February and 10 May 2007, the Secretary-General informed the President of the Security Council of the appointment of five experts to fill the existing vacancies in the group of eight experts assisting the Committee in its work. The current composition of the expert group is given in annex I. The Office for Disarmament Affairs continued to provide substantive and logistical support to the group of experts.

8. Since the extension of its mandate in April 2006, the Committee has held 47 formal and informal meetings, as well as a number of informal consultations. Of these meetings, five were devoted to thematic discussions on reporting, outreach and assistance strategies and on the issues of means of delivery and of biological weapons and related materials. The three subcommittees of the Committee, established in 2004, held meetings to consider the national reports and additional information submitted by States.

9. On 30 May and 28 September 2006, 22 May and 14 November 2007 and 6 May 2008, the Chairman of the Committee, together with the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001), concerning counter-terrorism and the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban, briefed the Security Council at open meetings on the progress achieved by the subsidiary bodies in fulfilling their respective mandates. On 23 February 2007, the Security Council considered at an open meeting the issue of cooperation between the Committee and international organizations, and adopted a presidential statement on this subject. In addition, on 17 December 2007, the outgoing Chairman of the Committee, Ambassador Peter Burian, briefed the Security Council on the activities of the Committee during his tenure.

10. On 3 October 2006, the Committee adopted its fifth programme of work, which covered the period from 1 October 2006 to 30 September 2007, addressed all aspects of resolutions 1540 (2004) and 1673 (2006) and reflected the recommendations contained in the first report of the Committee to the Security Council (S/2006/257 and Corr.1). On 14 September 2007, the Committee adopted its sixth programme of work, for the period from 1 October 2007 to 27 April 2008, which represented a continuation of the fifth programme with the addition of the preparation of the Committee's report to the Security Council on the second biennium of its work.

11. All relevant documents are listed in annex II.

III. Reporting and compilation of information

12. In its resolution 1673 (2006), the Security Council reiterated its decisions in and the requirements of resolution 1540 (2004) and called upon all States that had not yet presented a first report on steps they had taken or intended to take to implement resolution 1540 (2004) to submit such a report to the Committee without delay. Additionally in resolution 1673 (2006), the Council encouraged all previously reporting States to submit additional information on their implementation of resolution 1540 (2004).

13. The Committee sent letters in October/November 2007 to all 192 Member States reminding them to submit reports or provide up-to-date information on further steps they had taken or planned to take to achieve full implementation of the resolution. Each letter was accompanied by the matrix the Committee had prepared for that State. The letter explained the matrix and asked States, as appropriate, to verify or amend the information in the matrix.

14. States were also encouraged to submit details of intergovernmental processes, national practices or implementation plans which had been developed to implement the requirements of the resolution.

15. It is noted that matrices for non-reporting States have also been prepared by the experts, with the approval of the Committee, and provided to those States for their review, in an effort to facilitate those States' submission of first reports.

16. As the experts prepared matrices, they also updated the legislative database of States' national legislation, which was posted on the Committee's website as a

reference tool of lessons and approaches in considering national legislation or amendments thereto.

17. As at 1 July 2008, 103 States have responded to the Committee's 2007 request. The total number of States that have submitted at least one report since 2004 stands at 155, with one organization[1] also having submitted a report (see annex III).

18. Of those States that have submitted first reports, 102 have submitted additional information. Thirty-seven States have not submitted a first report to the Committee (see annex IV).

19. The Committee notes that, as shown in annex V, the implementation status, as reflected in the matrix, needs to be improved. The Committee intends, therefore, to use the matrices further as a tool for dialogue with States on their implementation of the resolution, as well as for facilitating technical assistance.

20. In response to questions from Member States about the matrix, the Committee developed language to clarify the concept. The Committee agreed that the information in the matrices originates primarily from national reports and is complemented by official Government information, including that made available to intergovernmental organizations. The matrices are prepared under the direction of the Committee. The Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council resolution 1540 (2004). The matrices are not a tool for measuring the compliance of States with their non-proliferation obligations but for facilitating the implementation of Security Council resolutions 1540 (2004) and 1673 (2006). They do not reflect or prejudice any ongoing discussion outside the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations.

21. The Committee is now considering posting matrices of States on its website, subject to their consent.

IV. Compliance with resolution 1540 (2004) through the achievement of the implementation of its requirements[2]

A. Paragraph 1 and related matters

22. Since the submission of the Committee's previous report, in April 2006 more Member States have become parties to the international instruments of particular relevance to resolution 1540 (2004) (see annex VI). In addition, many States have indicated their intention to ratify or implement the following new instruments: the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material and the two 2005 Protocols to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and to its Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf. Notably, the International Convention for the Suppression of Acts of Nuclear Terrorism entered into force in July 2007. With regard to the World Customs

[1] European Union.

[2] Nothing in this section should be construed as altering the definitions contained in resolution 1540 (2004).

Organization (WCO) SAFE Framework of Standards, a declaration (letter) was made available in 2006 for States to indicate their commitment to improving border, customs, cargo and trade security, which may contribute to States' efforts to fulfil some requirements of resolution 1540 (2004).

23. The Committee believes that the full implementation of resolution 1540 (2004) would benefit from more States subscribing to the above-mentioned new international instruments as soon as possible and fully implementing all their obligations under the relevant international instruments to which they are parties.

B. Paragraph 2

24. The Committee notes the continuing difficulty faced by some States in understanding that paragraph 2 deals with weapons and their means of delivery and also notes that legislative or other measures to license or control related materials alone are not sufficient to satisfy State obligations under paragraph 2.[3] It further notes that many States are not yet fully cognizant of the fact that not all the requirements mentioned in paragraph 2 are necessarily reflected in specific existing legislation. This is the case even when the coverage is supplemented by more general prohibitions contained in their Constitutions — provisions that are deemed relevant to the implementation of obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. As these international instruments deal primarily with State-to-State obligations, the requirements of resolution 1540 (2004) focusing on non-State actors need specific supplementary legislation, including penalizing the involvement of such actors in the prohibited activities. Furthermore, the current penal or criminal codes of many States, as well as their counter-terrorism legislation, penalize only some activities that resolution 1540 (2004) requires States to proscribe and most do so in general terms that apply equally to biological, chemical and nuclear weapons rather than having distinct legislative provisions or sections that apply individually to each weapon type.

25. The Committee, through its implementation of paragraph 5 of resolution 1673 (2006), has promoted greater awareness of the above-mentioned factors by States in meeting their obligations under paragraph 2 of resolution 1540 (2004). Consequently, the Committee has noted an increase between 2006 and 2008 in the number of States that have instituted legislative measures to penalize the involvement of non-State actors in the prohibited activities. In 2006, 14 States reported having legislative measures to penalize the involvement of non-State actors in the prohibited activities. By comparison, the data for all States now indicate that 63 States have such legislative measures.

[3] As the legal systems of many States prohibit or restrict activities through one type of law but use another type of law, such as a penal code, to set out specific penalties for violating such prohibitions or restrictions, the 1540 matrix the Committee uses makes a similar distinction, by referring to "national legal framework" for the first type of legislation and "enforcement" for the second type of legislation.

26. The differences in the status of national implementation legislation in the three weapons categories are addressed in the following subsections.

1. Nuclear weapons

27. Compared to its 2006 findings, the Committee's data indicate an increase in the number of States that have enacted national legislation covering resolution 1540 (2004) requirements regarding nuclear weapons. Ninety-three States have reported having a national legal framework prohibiting the manufacture and acquisition of nuclear weapons, with 66 States also reporting prohibition of the possession, transfer or use of such weapons. A similar number of States (71) reported provisions to penalize violations. Possible use of nuclear weapons, their manufacture and acquisition continue to be among the activities with the highest degree of penalization. A detailed description of the implementation of resolution 1540 (2004) in this area is given in annexes VII.A and VII.B.

2. Chemical weapons

28. Compared with that for biological weapons, referred to in paragraphs 30 and 31 below, national legislation on chemical weapons and their means of delivery provides a more complete picture, in large part owing to provisions for implementing mechanisms under the Chemical Weapons Convention. The prohibitions contained in the Chemical Weapons Convention on manufacture/production, acquisition, stockpiling/storing and use parallel the prohibitions in those areas contained in resolution 1540 (2004) and are incorporated to a high degree in the national frameworks, as well as in penal legislation. Regarding the prohibition of the ancillary offences of assisting, acting as an accomplice to or financing such activities, most States use their penal or criminal codes, along with counter-terrorism legislation, to provide penalties for these offences.

29. Analysis of the implementation of prohibited activities formulated in resolution 1540 (2004) but not covered by the Chemical Weapons Convention gives a result somewhat similar to that for biological weapons, in that only the prohibition of transport does not appear in the provisions of the Chemical Weapons Convention. This is an area requiring further attention, given the need for the transportation of chemicals for civilian and commercial purposes. Their carriage for legitimate purposes, however, is usually subject to control by licensing and permit, and those details are outlined in paragraph 3 of the resolution. At present, the Committee notes, 96 States have a national legal framework prohibiting the manufacture, acquisition, stockpiling, development, transfer or use of chemical weapons, but the figures with respect to the corresponding enforcement measures are lower, except in relation to manufacturing and use, where 96 States penalize violations. Seventy-six States reported laws prohibiting assistance to non-State actors in those activities, while 69 States reported prohibitions against participation as an accomplice. Further details are provided in annexes VIII.A and VIII.B.

3. Biological weapons

30. Since 2006, the issue of preventing the manufacture/production and acquisition of biological weapons, their means of delivery and related materials by non-State actors has been identified as requiring more specific attention in the future. The issues involved, including the need for legislative assistance and other

implementation measures, were explored in a thematic debate of the Committee in December 2007.

31. Resolution 1540 (2004) adds several prohibited activities to those already covered by the Biological and Toxin Weapons Convention, namely, transport, transfer and use. These activities had a lower rate of coverage in national legislation than in penal legislation. Penal and criminal codes, along with counter-terrorism legislation, tend to provide general penalty clauses linked to a variety of offences that focus more on prohibition of use, and the ancillary offences of assisting, acting as an accomplice in or financing these activities, including by non-State actors. In the information they provided to the Committee, many States made reference to their intention to make amendments in the future to counter-terrorism legislation, which could incorporate the prohibited activities under paragraph 2 of the resolution. At present, the Committee notes, 76 States have a national legal framework prohibiting the manufacture, acquisition, stockpiling, development or transfer of biological weapons and a comparable number have measures in place to penalize violations. Details of the national implementation of prohibitions relating to biological weapons are given in annexes IX.A and IX.B.

4. Means of delivery of weapons of mass destruction[4]

32. Since 2006, there has been a noticeable increase in the number of States reporting measures they have taken to implement the requirements of the resolution with respect to means of delivery. From the data available to the Committee, for the three weapons categories, 30 States have framework legislation in place for the means of delivery requirements for nuclear weapons, 46 for chemical weapons and 77 for biological weapons. With regard to enforcement measures for that framework legislation, 35 States have enforcement measures in place for the means of delivery requirements for nuclear weapons, 45 for chemical weapons and 45 for biological weapons. The increase in 2008 in the number of States which have reported prohibitions of activities (para. 2) relating to means of delivery in the three weapons categories are displayed in tabular form in annex X.A. Annex X.B and C displays the increase in the number of States which report a national legal framework to account for/secure/physically protect means of delivery (para. 3 (a) and (b)) and border and export controls in respect of means of delivery (para. 3 (c) and (d)) in the three weapons categories.

5. Acting as accomplice to, assisting or financing prohibited activities relating to weapons of mass destruction

33. The Committee notes that, based on the data for all the Member States, 58 and 67 States have adopted measures to prohibit participation as an accomplice in and assistance to prohibited activities relating to nuclear and biological weapons, respectively, and that 69 States had measures in place against illicit activities relating to chemical weapons. The Committee found far more States with such measures in place for all three types of weapons in comparison to the data available for its 2006 report. Many States use existing anti-terrorism legislation to penalize participating in or assisting prohibited activities relating to weapons of mass destruction, in particular for biological and nuclear weapons, while others have

[4] Means of delivery: missiles, rockets and other unmanned systems, capable of delivering nuclear, chemical or biological weapons that are specially designed for such use.

adopted new legislative provisions in accordance with the obligations they have as parties to the Chemical Weapons Convention, which includes a prohibition on assisting non-State actors.

34. The Committee notes from the data for all States that 64 States have taken measures to prohibit the financing of prohibited activities relating to nuclear, chemical or biological weapons, their means of delivery and related materials. Compared to its 2006 findings, the Committee identified a fourfold increase in the States that have taken such steps. In most instances, States have used existing anti-terrorism and anti-money-laundering enforcement legislation to criminalize the financing of illicit activities relating to weapons of mass destruction, especially with respect to use. Some of those States have incorporated the penalties directly in their legislation. Many States have informed the Committee that they have taken steps through participation, on a voluntary basis, in the Financial Action Task Force (FATF) or FATF-style regional bodies, including the Proliferation Financing Typology Working Group. Other States incorporate penalties by implementing similar obligations under other sources of international law, such as relevant international instruments to which they are parties, for example the International Convention for the Suppression of Acts of Nuclear Terrorism.

C. Paragraph 3 (a) and (b)

35. Since its previous report, in 2006, the 1540 Committee has noted a significant increase in the number of States that have reported taking steps to develop and maintain appropriate effective measures to account for, secure and physically protect materials related to weapons of mass destruction in production, use, storage and transport. However, the increase, overall, remains low against the total number of Member States.

1. Nuclear weapons and related materials

36. The regulatory framework within individual States is based on the international legal instruments, guidelines and standards that have been developed at the international level to address issues relating to the non-proliferation of nuclear weapons and to the accounting, securing and physical protection of nuclear materials. The Comprehensive Safeguards Agreements are used to verify compliance by non-nuclear-weapon States that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons with their legal obligations not to use nuclear material to manufacture nuclear weapons or nuclear explosive devices. States are thereby required to put in place a system of accounting and control sufficient for tracking nuclear material. In addition, States parties to the Convention on the Physical Protection of Nuclear Material are required to apply the physical protection measures specified in that convention to nuclear material in international transport. Recommendations to States on their systems of physical protection of nuclear materials in use, transit and storage and of nuclear facilities are set forth in International Atomic Energy Agency (IAEA) document INFCIRC/225/Rev.4, "The physical protection of nuclear material and nuclear facilities".

37. The regulations on accounting for and physical protection of nuclear weapons or related materials established in States possessing nuclear weapons vary significantly from those put in place by non-nuclear-weapon States using nuclear

energy exclusively for peaceful purposes. Almost half of the Member States, as parties to safeguards agreements, have concluded small quantity protocols with IAEA holding in abeyance most of the verification-related provisions of the agreement and thus require minimal regulation relating to nuclear materials. These factors are relevant in considering the following paragraphs.

38. Of the 168 Member States that have concluded safeguards agreements, 138 are also parties to the Convention on the Physical Protection of Nuclear Material and 94 have established a national authority responsible for implementation of the relevant commitment. In addition, of the 96 States that participate in the IAEA database on illicit trafficking of nuclear material, 73 mentioned this in their reports to the Committee.

39. From the data of all States, the Committee notes that 154 reported having measures in place to account for the production, use and storage of nuclear materials, whereas 49 States reported having provisions in place to penalize violations of those measures. The Committee further notes that 58 States reported having measures in place to account for the transport of nuclear materials, whereas 44 States reported having provisions in place to penalize violations of those measures.

40. The legislative measures to secure nuclear materials in production, use, storage or transport are intrinsically linked with the regulations on accounting for such items. However, 62 States reported having measures in place to secure the production, use and storage of nuclear materials, whereas 91 States reported having measures in place to secure the transport of the same materials. The Committee notes that 56 States reported having penalties for violations of the former measures, whereas 82 reported having penalties pertaining to violations of measures to secure transport. In addition, 94 States reported having a national regulatory authority, 83 reported having licensing requirements in place for nuclear facilities or personnel who use nuclear-related materials and 64 reported having provisions in place to penalize violations of those licensing requirements.

41. Details of the national implementation measures addressed in paragraph 3 (a) and (b) with regard to nuclear weapons, their means of delivery and related materials are contained in annex XI.A and XI.B.

2. Chemical weapons and related materials

42. Compared with the implementation of the requirements for biological weapons and related materials, the implementation process in the field of chemical weapons and related materials is slightly more developed because of the increased reporting and control mechanisms under the Chemical Weapons Convention. Since April 2006, activities relating to the Organization for the Prohibition of Chemical Weapons (OPCW) action plans on universality and national implementation, and the Office for Disarmament Affairs 1540 workshops have facilitated mutual implementation of respective mandates.[5]

43. While the Chemical Weapons Convention does not contain an explicit prohibition of the transport of chemical weapons, the Committee notes that 49 States

[5] Seventy-eight States reported to OPCW that national legislation was in place and 124 reported that they had adopted implementing measures. Letter from the Director-General of OPCW to the 1540 Committee Chairman, 21 January 2008.

reported having measures in place to account for the transport of chemical weapon-related materials that could be used for the design, development, production or use of chemical weapons, and of their means of delivery, whereas 69 States reported having measures in place to secure the transport of such materials. The Committee further notes that while 163 States reported having a national Chemical Weapons Convention authority, only 73 reported having licensing requirements for facilities or personnel using chemical weapon-related materials.

44. A slightly smaller proportion of States reported having provisions in place to enforce measures to account for and secure the transport of chemical weapon-related materials that could be used for the design, development, production or use of chemical weapons, and of their means of delivery. Additionally, of the States with licensing requirements for facilities or personnel using such materials, the Committee notes that only 56 reported having provisions in place to enforce those requirements.

45. The measures reported by States for the physical protection of chemical weapon-related materials in facilities and during transport remain considerably fewer than other measures reported for accounting and securing. The Committee notes that of the 37 States that reported having regulations in place to physically protect chemical facilities, materials and transports, 27 reported having provisions in place to enforce violations of those measures. The Committee further notes that of the 23 States that reported having measures in place to undertake reliability checks of personnel handling such materials, 15 reported having provisions in place to enforce those measures.

46. Details of the national implementation measures addressed in paragraph 3 (a) and (b) with regard to chemical weapons, their means of delivery and related materials are contained in annex XII.A and XII.B.

3. Biological weapons and related materials

47. A number of States consider that the rapid advances in and diversity of the biotechnology industry worldwide may have an impact on the complexity of accounting for, securing and physically protecting sensitive material for legitimate purposes while preventing their use for prohibited ones. Biological weapon-related materials may include agents such as living organisms that replicate, commercially available dual-use equipment and processes for handling micro-organisms. The Committee notes that accounting for biological weapon-related materials may be addressed in national legislation differently from accounting for chemical weapon-related and nuclear weapon-related materials that are produced, used and stored in finite, measurable quantities.

48. A number of States reported that, apart from toxins, accounting measures for biological weapons-related materials focused primarily on keeping inventory logs of the use, production and possession of such types of agents, further distinguished by their role in causing human, animal or plant diseases. From the data available for all States, the Committee notes that 66 States have adopted legislation and regulations for licensing the use, production and possession of biological weapon-related materials as permitted activities for commercial, industrial and public health purposes. In addition, 37 States regulate genetic engineering activities relating to biological weapon-related materials in separate laws.

49. A number of States reported that the above-mentioned controls and measures were administered or enforced by public and/or veterinary health, plant control and environmental protection agencies. The Committee notes, however, that of the States that reported having licensing provisions, 46 reported having provisions in place to enforce them by criminal or administrative penalties.

50. The Committee notes a considerable increase in the number of States that reported having measures to secure biological weapon-related materials and physically protect their transportation. From the data available for all States, the Committee notes that 38 States reported having measures in place to account for biological weapon-related materials, whereas 53 States reported having measures in place to secure them. While this may indicate an increased awareness by States of the potential risk from the accidental release of biological weapon-related materials, the Committee notes that only 25 States reported having measures in place to undertake reliability checks of personnel working with sensitive materials.

51. A smaller proportion of States reported having provisions for criminal or administrative penalties to enforce measures for the accounting and securing of biological weapon-related materials.

52. Details of the national implementation measures addressed in paragraph 3 (a) and (b) with regard to biological weapons, their means of delivery and related materials are contained in annex XIII.A and XIII.B.

D. Paragraph 3 (c) and (d)

53. A number of States reported that goods, technologies and services that had primarily commercial but also potential weapons of mass destruction-related applications (i.e., dual-use items) fell within the remit of the same authorities in charge of each State's international trade. The Committee observes a significant increase, compared to its findings in 2006, in the number of States identified as having taken measures towards enhancing border and export controls. However, it is also recognized that passing legislation and regulations is not sufficient in and of itself. There also need to be effective domestic enforcement; credible control lists of dual-use items; appropriate implementation and enforcement measures; effective training of enforcement officials; and information sharing. In resolution 1810 (2008), the Security Council reaffirmed that prevention of proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes, while goals of peaceful utilization should not be used as a cover for proliferation.

54. The number of States that have reported having controls for each type of weapon, their means of delivery and related materials, compared to those which reported in 2006, appears in annexes XIV.A and B, XV.A and B and XVI.A and B.

1. Border controls against the proliferation of weapons of mass destruction

55. Considering that the border control obligations set out in paragraph 3 (c) of resolution 1540 (2004) raise important issues concerning the role of customs administrations, a number of States reported that customs services now contribute to the achievement of other important national policies, such as responding to the threat of proliferation of weapons of mass destruction, including to non-State actors.

Many States have responded to the threat of proliferation of weapons of mass destruction to non-State actors by using the same principles they currently apply to imports. These include electronic lodgement of accurate information prior to loading items for shipment; risk assessment through intelligence evaluation of all information using both advanced computer systems and the experience of customs officers; the examination of cargo identified as of interest to customs, using non-invasive technology or physical inspection as required; and voluntary arrangements with business to encourage compliance, backed by legislation and regulation as necessary. Consequently, the matrices the Committee has prepared include information on measures for the legislative and enforcement capacity of States to prevent, through adequate controls, the flow across their borders of items related to weapons of mass destruction. The Committee has identified, from the data of all States, that 114 States have border and/or customs controls.

56. Given the technical and often dual-use nature of materials related to the development of nuclear, chemical and biological weapons, the provision of technical support to border control authorities is of fundamental importance. Such support may include specialized detection equipment, such as radiation scanners, training for commodity identification or access to technical expertise. From the data for all States, the Committee has found a significant increase in the number of States (86) reporting that they have provided technical support to their border authorities.

57. In response to potential terrorist threats, several customs authorities have undertaken initiatives to improve security in the international supply chain. One such initiative reported to the Committee obliges carriers to provide electronic manifest data 24 hours before loading sea containers, and requires air cargo carriers to supply information upon departure. This enables customs authorities to select high-risk shipments via automated targeting systems. Most supply chain security initiatives support moving pre-approved eligible goods across the border quickly and verifying trade compliance away from the border. Shipments for approved companies, transported by approved carriers using registered drivers, will be cleared with greater speed and certainty, and at a reduced cost of compliance.

58. The examination of national submissions to the Committee demonstrates, however, that many States believe non-State actors could exploit legitimate cross-border activities, particularly in free-trade zones or similar territories. The Governments of several States that are leading trans-shipment hubs have already taken steps to establish appropriate border and export control infrastructure, and assert that such controls have improved their status as leaders in trade facilitation.

2. Export controls

59. To implement the requirements of resolution 1540 (2004), States often need to discern between illicit trafficking in weapons of mass destruction, their means of delivery and related materials and the lawful flow of dual-use items. Effective export control measures will facilitate legitimate and secure trade. Implementing such controls can also limit the opportunities for theft, diversion and illicit acquisition of such items by non-State actors.

(a) Licensing

60. A number of States reported that they were working to implement licensing procedures to strengthen their national security, foreign policy and economic

interests in ways that encourage legitimate trade. The Committee notes that, since 2006, many States have taken considerable steps towards implementing licensing procedures for the export, transit, trans-shipment, re-export and import of nuclear, chemical and biological weapon-related materials, including the establishment of national licensing authorities and intergovernmental licence review processes. In addition, the Committee notes that 76 States reported having licensing provisions for nuclear and related materials, 77 reported having licensing provisions for chemicals and related materials, and 71 reported having licensing provisions for biological weapon-related material.

61. Considering that failure to stop transactions involving inappropriate end-uses undermines States' licensing policy and the objectives of resolution 1540 (2004), 61 States have implemented end-user assessments as an essential aspect of their export control process. Similarly, 54 States have introduced controls on items not specified on control lists but which can still make meaningful contributions to weapons of mass destruction and their means of delivery programmes, particularly start-up programmes. Sixty-one States have taken steps to implement end-user processes and 54 also have catch-all controls, which can apply to items such as common test equipment, de-controlled machine tools, certain steels and ubiquitous electronic components, based on concerns regarding the end-user or potential end-use of those goods, services or technologies.

(b) Controls relating to technologies

62. The availability of technologies necessary for the "development", "production" or "use" of materials related to weapons of mass destruction has increased in recent years for many reasons, including globalization of businesses and organizations, improvements in telecommunications, greater access to the Internet and the ease of international travel. This greater accessibility to important technologies presents significant challenges to current export control systems, which States traditionally have based on flows of items across physical national boundaries. Several States have adapted their earlier systems to implement unique policies and practices for effective administration and enforcement of controls on the flow of technologies.

63. The Committee follows at least three indicators of how States have made such adaptations: the inclusion of technologies as well as goods in lists of controlled items; the coverage of intangible transfers of technology in their control systems; and controls on the flow of information to foreign nationals within a State's boundaries (i.e., deemed exports). The Committee has found, from the data of all States, that 62 States reported the inclusion of technologies in lists of controlled items; 46 States reported that they had measures within their control systems to cover transfers of technology; and 18 had measures to control the flow of information to foreign nationals. The Committee also notes, however, that far fewer States reported having provisions in place to penalize violations of those measures.

(c) Controls relating to aspects of trade transactions beyond export licensing

64. Some States reported that they did not produce items related to weapons of mass destruction or their means of delivery. However, controlling the import, transit, trans-shipment or re-export of such items makes an important contribution to

international non-proliferation efforts and limits the opportunities for non-State actors to exploit their territories for proliferation purposes.

65. A number of States reported that they controlled international transit so that the goods did not remain in the transit country in contravention of prohibitions and restrictions, including import regulations. From the data of all States, the Committee notes that 80 reported having measures in place to control goods in transit. The Committee also notes that 49 States reported having provisions in place to penalize violations of transit procedures.

66. A number of States also reported addressing the issue of goods in trans-shipment, which varies slightly from transit in that the trans-shipment of goods involves a change in the means of transport during the journey. From the data of all States, the Committee notes that 62 States have measures in place to control trans-shipments. The Committee also notes that 35 States reported having provisions in place to penalize violations of trans-shipment procedures.

67. Re-export controls apply to those goods which are temporarily imported and then re-exported. The objective of States is that the same procedures are followed for the re-exported goods that States have adopted for other proscribed goods. Seventy-two States reported having measures in place to control re-exports. In addition, 44 States reported having provisions in place to penalize violations of re-export procedures. The Committee noted that those States were approximately one third fewer than those which reported having export controls in place.

68. From the data of all States, the Committee notes that 104 States reported having measures in place to control the import of items of proliferation concern, whereas 75 States reported having provisions in place to penalize violations of import procedures.

69. Thirty States reported to the Committee that they had the ability to apply regulatory controls to the activities of their citizens, regardless of where the activity occurred or where their citizens were located.

70. A number of States consider that the activities of brokers can pose a particular risk for the proliferation of weapons of mass destruction to non-State actors, as brokers, for the purposes of export control, act as an agent for others in negotiating or arranging contracts, purchases, sales, or transfers of goods or services in return for a fee, commission or other consideration. Brokers can operate out of multiple countries, and in every part of the world, and, given the transnational character of their activities, their work can go unnoticed and unregulated by States. Fifty-eight States reported having measures in place to control brokering, trading in, negotiating or otherwise assisting in the sale of weapons of mass destruction, their means of delivery and related materials.

(d) Controls relating to means of delivery

71. The national implementation measures addressed in paragraph 3 (c) and (d) of the resolution with regard to border and export control of means of delivery and related materials are contained in the annexes referred to previously. According to the data compiled in the annexes, the number of States having such control measures in the three weapon areas is as follows: framework legislation in at least 59 States and civil or criminal penalties in not more than 40 States. There has not been much improvement in the figures since 2006. States have also implemented the objectives

set out in paragraph 3 (c) and (d) through other arrangements, such as the Hague Code of Conduct against Ballistic Missile Proliferation, which 124 States reported subscribing to.

(e) Controls relating to transport and financial services for trade transactions

72. The Committee finds that the number of States with measures in place against the financing of illicit trade transactions related to weapons of mass destruction has increased among the States that reported in 2006. Twenty-nine States exercise some control over the financing of these activities, mainly related to their legislation to counter terrorism. The number of States that have measures against providing transport services for those illicit transactions increased significantly compared with the 2006 findings, but remains low overall. Twenty-three States have controls on transport services that are in some way relevant.

(f) Paragraphs 3 (d) and 6: control lists

73. In both paragraphs 3 (d) and 6 of the resolution, the Security Council recognized the importance of using national control lists dealing with non-proliferation in implementing border and export controls. In 2006, 52 States reported having lists of relevant items subject to control. By comparison, the data available now indicate that 67 States have such control lists.

74. A number of States reported that they saw a need to update their lists of controlled commodities, once established, on a regular basis. From the data of all States, the Committee notes that 53 States reported that they updated their control lists. Taken together with the number of States that regulate or can enforce export controls on weapons of mass destruction but lack control lists for weapons of mass destruction, it is apparent that many States have the opportunity to take important strides towards implementing more appropriate effective export controls.

(g) Outreach to industry and the public

75. Effective outreach programmes help raise the awareness of companies and commercial individuals, universities, and centres of research and development concerning their responsibilities under a national export control system and penalties for violations. Outreach should also seek to promote internal compliance practices that incorporate checks by industry on end-users and end-uses of concern, which a number of States mentioned in their reports.

76. A strong relationship with industry, besides improving intelligence, can also raise industry awareness about the need to "know your customer" and about suspicious procurement behaviour. This may lead industry representatives to notify law enforcement officials of such concerns. Such information has proved critical to the effective enforcement of border and export controls. Seventy-four States reported having made some efforts to reach out to industry on those topics, while 60 States reported making similar efforts to inform the general public about contributing to the work of Governments to prevent the proliferation of weapons of mass destruction, their means of delivery and related materials to non-State actors.

V. Experience-sharing

77. Paragraphs 1 to 3 of resolution 1540 (2004) create obligations for all Member States across a broad range of non-proliferation activities. The Committee acknowledges that States, either individually or collectively, have or will develop their own approaches towards implementing their obligations under the resolution. The Committee follows this commitment in considering the national reports and in preparing the data matrix for each State.

78. At the same time, in resolution 1673 (2006) the Security Council invited the Committee to explore with States and international, regional and subregional organizations experience-sharing and lessons learned in the areas covered by resolution 1540 (2004), and the availability of programmes which might facilitate the implementation of resolution 1540 (2004). In paragraph 11 (d) of resolution 1810 (2008) the Council encouraged the Committee to engage actively with States and relevant international, regional and subregional organizations to promote the sharing of experience and lessons learned in the areas covered by resolution 1540 (2004), and to liaise on the availability of programmes which might facilitate the implementation of resolution 1540 (2004).

79. The identification of effective and efficient practices for experience-sharing promotes the implementation of resolution 1540 (2004) and improves the quality of measures taken by States. By focusing on appropriate practices, States can conserve resources and avoid losses. More effective policies will attract greater international support, essential to the capacity-building required by most States, and, more likely, also domestic support, upon which the implementation of the resolution depends.

80. One of the challenges that the Committee faces in helping Member States that seek to share experience and exchange lessons learned is that very few practices have undergone the rigorous analysis, testing and consensus-building that goes into identifying a truly "best" practice.

81. To facilitate the sharing of experience, the Committee has prepared a list of relevant examples which States may wish to refer to in implementing resolution 1540. In compiling the list, the Committee used certain criteria to narrow down the list of possible examples to those that might be most relevant and useful in implementing that resolution. They were examples that (i) addressed at least one common problem related to the implementation of one or more obligation under resolution 1540 (2004), (ii) were recognized by an authoritative international body to have been shown to be effective or efficient and (iii) a significant number of States had adopted. In assembling the list, the Committee used three possible sources: first, those international organizations named in resolution 1540 (2004); second, other international bodies mentioned by States in their national reports; and lastly the Committee drew on its own experience in preparing the matrices for all States for additional potential sources of appropriate experience to share. Many of those other bodies have developed model laws, programmes or practices which form the basis of the experience-sharing addressed in the present report. The set of practices for experience-sharing appears in annex XVII.

82. Two caveats need mentioning. The Committee emphasizes that it does not endorse any of the materials set out in annex XVII but provides them as a service to Member States in their efforts to implement resolution 1540 (2004). In addition, that annex does not constitute an exhaustive set of examples and the Committee looks

forward to suggested additions, modifications or deletions from any Member State or intergovernmental body.

Lessons learned

83. As part of its review of the implementation of resolution 1540 (2004), the Committee has begun to draw up some "lessons learned". The first lesson learned is that implementation of the resolution takes place within the context of many conventions, treaties, laws, regulations, standards and practices that were in place prior to the adoption of the resolution. While States have so far modified only a few of those instruments with the resolution in mind, they have begun to review and reconsider how those instruments relate to the problem of non-State actors acquiring weapons of mass destruction and their means of delivery. This process of sorting out the roles of different instruments into a more coherent network to combat this problem has gained some momentum, although it remains far from mature.

84. While annex XVII includes many examples relevant to sharing experience relating to the implementation of resolution 1540 (2004), the second lesson learned is that those examples do not cover every obligation found in the resolution. The Committee would be interested to learn of steps that relevant international, regional and subregional organizations are taking or considering taking to develop practices in areas where none exist at present. For example, little is known about the intersection of two dimensions: brokering and proliferation of weapons of mass destruction. The Committee could contribute by helping to identify such gaps in knowledge.

85. A third lesson learned is that many States created new or adapted existing intra-governmental processes to implement resolution 1540 (2004). Consequently, the Committee included requests for information on such processes in presentations by the Chair and in letters to all States in October/November 2007.

86. Finally, the Committee concluded from its examination of matrices that it was clear that there was no one-size-fits-all way of implementing the resolution. There were many examples of different approaches to its implementation in response to, among other considerations, different national and regional priorities, levels of development and threat levels.

VI. Outreach and dialogue

87. The Security Council, in resolution 1673 (2006), decided that the Committee should intensify its efforts to promote the full implementation by all States of resolution 1540 (2004). This was to be achieved through a work programme that included the compilation of information on the status of States' implementation of all aspects of resolution 1540 (2004), outreach, dialogue, assistance and cooperation.

88. Through its outreach activities, which have been extended to more than 100 Member States, the Committee has sought to:

(a) Raise awareness about obligations and requirements under resolution 1540 (2004);

(b) Encourage States to submit more reports and additional information on the status of implementation of the resolution;

(c) Foster a dialogue on the implementation process;

(d) Share experience and lessons learned about national practices among participants and also with the 1540 experts;

(e) Enhance the support of international, regional and subregional organizations and potential assistance providers to facilitate the implementation process.

89. The Committee has been engaged in three main categories of outreach activities in the various regions, as well as at United Nations Headquarters:

(a) Regional and subregional seminars and workshops organized by the Office for Disarmament Affairs of the United Nations on the implementation of resolution 1540 (2004);

(b) Workshops on reporting, sponsored by the United Nations Office on Drugs and Crime (UNODC) and organized jointly with the experts assisting the Committee, the Counter-Terrorism Committee and the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban, under their common strategy programme;

(c) Conferences, seminars and workshops of international, regional or subregional organizations and non-governmental organizations focusing on various aspects of the implementation of resolution 1540 (2004).

90. With respect to the regional events sponsored by the Office for Disarmament Affairs, six workshops have been organized since April 2006 in Asia, Africa and Latin America and the Caribbean. The first event, held in Beijing, in July 2006, focused on the implementation of resolution 1540 (2004) by States in the Asian and Pacific region. In September 2007, a workshop on implementation issues was organized in Amman.

91. In Africa, two workshops focusing on facilitating the submission of reports and the identification of assistance requirements were organized. The first workshop was held in Accra in November 2006 and the second in Gaborone in November 2007.

92. For Latin America and the Caribbean, two events were organized as a follow-up to the 2005 regional seminar held in Buenos Aires. The first event, organized in Lima in November 2006, enabled participants to address various implementation issues, including the task of reporting. The second event, organized in Kingston in May 2007, was devoted to the issues of reporting and assistance as they relate to the Caribbean States.

93. An important feature of those workshops was the tailoring of presentations to the special circumstances and requirements of the participating States, with a focus often on reporting and assistance, but also on seeking to identify issues of implementation beyond reporting, where applicable.

94. With regard to the second type of outreach, UNODC-sponsored "common strategy" activities were based on a joint approach to States by the 1540 Committee experts under the direction of the Committee, the Counter-Terrorism Committee

Executive Directorate and the 1267 Monitoring Team. The aim of those activities was to foster closer cooperation, as recommended by the Security Council, with a focus on non-reporting or late reporting States. This particular approach supplemented the efforts made through the workshops of the Office for Disarmament Affairs.

95. During 2007, Africa was given priority with two jointly organized and run workshops, the first in Dakar in September 2007 and the second in Gaborone in November 2007. An important feature of the "common-strategy" workshops is the interaction between the three committees, through their experts, and the delegations of national officials representing two or three relevant ministries of each participating State, in order to promote coordination and alleviate the task of responding to many requests for information.

96. The third type of outreach activities comprised conferences, seminars and workshops organized by other United Nations bodies and international, regional, subregional and non-governmental organizations. Those events addressed issues ranging from the broad challenge of preventing the proliferation of weapons of mass destruction to specific aspects of resolution 1540 (2004), inter alia issues concerning chemical and biological weapon-related materials, the prevention of nuclear terrorism, trafficking in nuclear materials, border and export controls, brokering and financial control, criminal law aspects of countering nuclear, chemical and biological terrorism in the light of relevant universal instruments. Some workshops addressed the issues of capacity-building and assistance as priority areas. Some events were global in nature and others were focused on particular regions, including Europe, Africa, Central Asia and the Caucasus, West Asia, Latin America and the Caribbean, South-East Asia and the Asian and Pacific region. As most of the participating States had already submitted one or more reports to the Committee, those events offered opportunities for the Committee to place primary focus on the possibilities for taking further steps in the implementation process.

97. In addition to the three types of events, the Committee has been active in seeking the support of all the Permanent Missions of Member States at United Nations Headquarters. This has been done not only through letters soliciting reports and additional information from capitals but also by providing briefings to the regional groups. Furthermore, an important aspect of the outreach activities in New York has been the dialogue conducted by the Committee, including through its experts, with individual delegations on the type of additional information that was expected from their capitals. A list of the outreach events is contained in annex XVIII.

98. On the whole, the Committee has pursued a dual approach in its outreach strategy. As the number of non-reporting States was reduced to one third of the United Nations membership, the Committee launched a last effort to complete the initial reporting phase in an interactive manner. At the same time, the majority of States that had reported were encouraged to provide additional information not only on existing measures but also on any further steps they have planned to achieve full implementation of the resolution.

99. During the reporting period, the Committee relied heavily on outreach activities to promote full implementation of resolution 1540 (2004). Through tailored dialogue, seminars and workshops it sought to generate awareness and promote the implementation of the resolution; to encourage the reporting process

and the sharing of relevant national experience; and to facilitate assistance geared to implementation. In a thematic discussion held during October 2007, the need to pursue a phased approach to the Committee's outreach activities was recognized and it was determined that the future activities would focus less on the issue of reporting and more on assisting States to implement the resolution fully. During the thematic discussion, the Committee considered general proposals regarding approaches to outreach activities during the implementation phase as well as proposals on specific themes for the outreach activities.

100. For example, the Committee discussed ways to ensure that outreach workshops are tailored to the needs of specific States. Among other things, the Committee discussed the idea that the Committee, together with the experts working under its direction, would look to relevant information from States' reports, data obtained from dialogue with States and information collated from official websites of relevant international organizations as sources of information to help tailor such workshops to States' needs.

101. The Committee also discussed types of activity that might be tailored in that way, for example:

(a) Outreach on the development of appropriate regulatory frameworks, underpinned by relevant laws and penalties;

(b) Outreach on special topics, to help build capacity, especially in the areas of implementation and enforcement regulation.

102. Another idea the Committee discussed was to have workshops to assist States in further developing cross-governmental or interagency processes to implement resolution 1540 (2004). Thematic workshops could focus on issues such as border and export controls, issues of transit and trans-shipment, brokering and financial controls, licensing issues, and accounting and securing of controlled materials. The role of industry in assisting States to meet their obligations under the resolution could also form an important aspect of the outreach effort. The Committee's outreach efforts may be undertaken with the assistance of external providers, including appropriate intergovernmental and non-governmental organizations, as well as Member States.

103. The Committee notes that international cooperation, in accordance with international law, is required to counter the illicit trafficking by non-State actors in nuclear, chemical and biological weapons, their means of delivery and related materials, and will address this important issue, inter alia, during its dialogue with States, in outreach activities and in its future reports to the Security Council.

VII. Assistance

104. The Committee continued to act as a clearing house for information on the issue of assistance through formal and informal contact and dialogue with all States, especially those expressing interest in offering and receiving assistance. It also expanded and intensified its efforts to facilitate assistance in different ways.

105. The fifth programme of work directed the Committee to, among other things, organize meetings of prospective donor States and/or international organizations to share information about ongoing assistance, highlight perceived gaps, deconflict and

coordinate assistance programmes. After the first such meeting in March 2007, the Committee held a thematic discussion on assistance in May 2007. This discussion sparked the development of a new strategy that emphasized more practical elements of implementation, and it generated several outcomes.

106. Among other elements of the strategy, the Committee encouraged States to use the matrix in preparing requests and offers, and brought to the attention of requesting States various assistance programmes for which they might be eligible. The Committee also decided to post requests for assistance on its website, as it had already done with the offers, in the form of a brief summary. This would make them known to a wider audience of potential partners, with more detailed requests available as needed.

107. Building on a recommendation contained in the 2006 report and on the new assistance strategy, the Committee developed a draft assistance template, which was piloted at regional outreach activities in May and June 2007 in Jamaica and Fiji respectively. Subsequently, the Office for Disarmament Affairs invited the Committee to participate in a one-day meeting of States and international organizations that had offered assistance during July 2007, followed by a Office for Disarmament Affairs-hosted briefing by non-governmental organizations that had ongoing assistance programmes for implementing aspects of the resolution. After further refinement, a revised template was presented at meetings in Jordan in September 2007 and Kyrgyzstan in October 2007, which included specific presentations on preparing such assistance requests. In October 2007, the Committee adopted the revised assistance template and posted it on its website.

108. At those meetings, the Committee offered to assist States in preparing assistance requests. Similarly, one State gave related presentations at a bilateral workshop on resolution 1540 (2004) in Oman in January 2008. States have responded positively to the request for more specific information. One State at the meeting in Kyrgyzstan, for example, prepared a detailed request for substantial assistance on border security in line with the resolution and it was met by another State. Another State agreed to help Governments in Central Asia and the Caribbean to prepare requests using the assistance template.

109. In October/November 2007, the letters from the Committee dealt not only with reporting but reminded States that they might indicate their need for assistance even if they had not yet submitted a national report. In December, the Committee sent supplementary letters to international and regional governmental organizations along this line and it sent a letter to all States explaining its clearing-house role for assistance, along with the template.

110. Compared with the assistance information it had received for its 2006 report, the Committee identified a slight increase in the number of offers of assistance, but much larger increases in requests for assistance and in States partnering in ongoing assistance projects related to implementation of the resolution. In addition, one State submitted an action plan to the Committee that focused on providing assistance, while another reported tilting its assistance efforts towards biological weapons issues to reflect the conclusions reached from Committee assistance activities. At least one State fashioned a request using the template as part of its response to the October/November 2007 letter from the Committee seeking additional information.

111. Several international organizations have also begun to integrate the objectives of resolution 1540 (2004) directly into their assistance efforts. The Committee notes the work of IAEA and OPCW in attempting to meld their assistance programmes into the overarching framework of the resolution. In September 2007, for example, the General Conference of IAEA adopted a resolution in which it invited the IAEA Secretariat to provide such assistance as was within the scope of the Agency's statutory responsibilities upon request to Member States in fulfilling their commitment under the resolution and to the 1540 Committee. Similarly, in October 2007, the Director-General of OPCW reiterated his commitment to continuing close cooperation with the United Nations in supporting implementation of the resolution.

112. The Committee also observes with appreciation the contributions of regional organizations, including large donors, such as the EU, and other regional organizations supporting the Committee's work, such as the Association of Southeast Asian Nations (ASEAN) Regional Forum, the Commonwealth of Independent States, the Organization of American States and the Organization for Security and Cooperation in Europe.

113. While those efforts met with some success, the Committee still finds that most offers and requests remain fairly general and that many States have had difficulty in identifying a point of contact in their capitals for assistance matters. Consistent with resolution 1810 (2008), the Committee will continue strengthening its role in facilitating technical assistance for implementation of resolution 1540 (2004), including by engaging actively in matching offers and requests for assistance through such means as assistance templates, action plans or other information submitted to the Committee. Most importantly, the international community needs to increase its efforts to facilitate States' implementation of their obligations.

114. On 17 December 2007, the outgoing Chairman of the 1540 Committee shared some personal observations and suggestions for the way forward in the Committee's work (see S/PV.5806). He stated that, to enable the more active assistance of experts to individual countries, the possibility of a trust fund should be considered. The Committee has been able to draw on earmarked funds from the existing Office for Disarmament Affairs-run Global and Regional Trust Fund for Disarmament Activities for selected outreach activities, which, however, until recent donations, were exhausted. However, there are a number of areas of assistance for which States have recurrently expressed a clear interest during outreach events and for which additional financial resources would be necessary. They include:

Assistance to States in identifying their priority areas for assistance in implementing resolution 1540 (2004), especially those States having difficulty in preparing or elaborating reports on implementation of the resolution, but also other States that express a need for assistance in specific areas;

Assistance to States in preparing national documents for implementing all aspects of resolution 1540 (2004). This activity is important to facilitate stocktaking with regard to relevant multilateral or bilateral assistance programmes already in place, and in facilitating the matching of assistance requests and offers to address the priority areas identified by States;

Provision for: (i) missions by experts to individual countries requesting advisory services on implementation, organized on an interdepartmental basis;

and (ii) workshops for member States of subregional groups or groupings of States with similar concerns.

115. Since 2006, a need was identified to take better advantage of voluntary funding to carry out such activities on a scale that meets States' requests. Major donors have expressed their interest in making voluntary funding available to that effect. Assistance activities could be substantially enhanced if donors were oriented towards an appropriate means to make resources available, if commitments were increased and if full advantage was taken of such voluntary funding to carry out the activities referred to above.

116. In paragraph 13 of resolution 1810 (2008), the Committee was requested to consider options for developing and making more effective existing funding mechanisms, and to report to the Security Council on its consideration of the matter by no later than 31 December 2008.

VIII. Cooperation

A. Cooperation with subsidiary bodies of the Security Council

117. The Committee maintained close cooperation with the Security Council Committee established pursuant to resolution 1267 (1999), concerning Al-Qaida and the Taliban, and the Security Council Committee established pursuant to resolution 1373 (2001), concerning counter-terrorism, as envisaged in resolution 1566 (2004) and in joint briefings of the Committees to the Security Council. At the 14 November 2007 briefing, Ambassador Verbeke, Chairman of the 1267 Committee, introduced a joint statement on behalf of the three Chairmen in which information was provided on the cooperation between the three Committees.

118. A major change since April 2006 has been increased coordination between the Committee, the Counter-Terrorism Committee and the Committee established pursuant to resolution 1267 (1999), through their expert groups, and the Terrorism Prevention Branch of UNODC. Increased efforts were made to maximize coordination, for example to streamline approaches to States seeking more efficient and effective ways to implement the relevant resolutions.

119. To that end, the Committees, through their experts, participated in common activities to approach States that had still to submit responses to all three Committees, such as outreach workshops organized by the Terrorism Prevention Branch of UNODC for western and central African States in Senegal in September 2007 and for central and eastern African States in Botswana in November 2007. UNODC also organized workshops with the Pacific Islands Forum in Fiji in June 2007 and 2008, to which the Committee sent an expert to facilitate reporting and implementation of respective resolutions in the Pacific subregion.

120. Joint activities also included the provision of information on the implementation of resolution 1540 (2004) for country visits by representatives of the Counter-Terrorism Committee Executive Directorate and the 1267 Monitoring Team; participation in the fifth special meeting of the Counter-Terrorism Committee with international, regional and subregional organizations on the theme "Prevention of terrorist movement and border security" in Kenya in October 2007, and in the Counter-Terrorism Implementation Task Force meeting at United Nations

Headquarters in December 2007; and the development of common approaches in providing technical assistance to States, including working with UNODC-sponsored consultants providing legislative assistance to States in the Caribbean and members of the Pacific Islands Forum.

B. Cooperation with international and regional organizations and arrangements

121. The emphasis of resolution 1673 (2006) on the role of international organizations in the implementation of resolution 1540 (2004) resulted in major developments and initiatives in the work of the Committee since April 2006.

122. The cooperation of the Committee and its experts with intergovernmental organizations and regional organizations is aimed at facilitating State implementation of resolution 1540 (2004). Those organizations provide forums and opportunities to share experience and lessons learned. Intergovernmental organizations, in accordance with their mandates, provide guidelines and standards, and technical assistance programmes that States can implement in accordance with their national circumstances, while regional organizations play a politically supportive role by bringing to the attention of their member States the urgency of implementation of resolution 1540 (2004).

123. At the end of December 2007, the Committee sent letters to the heads of 34 intergovernmental, regional and subregional organizations, as well as export control regimes and other arrangements, asking them to request their respective member States to implement resolution 1540 (2004). By July 2008, 15 had replied.

1. Intergovernmental organizations

124. On 23 February 2007, the Security Council open debate[6] on the implementation of resolutions 1540 (2004) and 1673 (2006) featured the role of intergovernmental organizations, in particular of IAEA, OPCW and WCO. That debate, which was concluded with a presidential statement, discussed the roles of IAEA and OPCW as organizations named in resolution 1540 (2004), and gave new prominence to WCO with its competency in customs and border control functions and its 2005 SAFE Framework of Standards to facilitate States' implementation of measures to prevent illicit trafficking of nuclear, chemical and biological weapons and means of delivery, and of related materials.

125. Representatives of those three organizations were consistently invited to speak at the six regional and subregional workshops on the implementation of resolution 1540 (2004) organized by the Office for Disarmament Affairs since April 2006. Additionally, through an exchange of letters with IAEA[7] and OPCW,[8] understandings with the Committee and the Office for Disarmament Affairs were developed on cooperative measures to share best practices and raise awareness of

[6] S/PV.5635: Security Council debate on the implementation of resolutions 1540 (2004) and 1673 (2006), 23 February 2007.

[7] S/AC.44/2007/Note 93: Letter from IAEA on the visit by two 1540 experts.

[8] S/AC.44/2007/Note 63/Add.1: Letter from OPCW on the visit to The Hague by the Chairman of the 1540 Committee and two experts on 24 May 2007.

their assistance programmes to facilitate State implementation of resolution 1540 (2004) requirements.

126. Cooperation with intergovernmental organizations in terms of information exchange and participation in outreach activities was further developed as the Committee facilitated States' implementation of measures relevant to resolution 1540 (2004) consistent with certain provisions in the recently adopted declarations and conventions. This was demonstrated by the cooperation with WCO with respect to the implementation of its SAFE Framework of Standards, with IAEA and the Office on Drugs and Crime regarding implementation of the Convention against Nuclear Terrorism and ratification of the Amendment to the Convention on the Physical Protection of Nuclear Material, and with the International Maritime Organization (IMO) concerning the two instruments of 2005: the Protocol to the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol to the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf.

127. Moreover, representatives of some multilateral arrangements dealing with export controls, as well as intergovernmental organizations, have briefed the Committee on the relevance of their activities to its work, inter alia the Financial Action Task Force and the North Atlantic Treaty Organization (NATO).

2. Regional organizations

128. As outreach activities focused more on subregions in the period 2006-2008, cooperation with regional organizations increased, enabling them to encourage their member States to implement the resolution in ways compatible with the historical, cultural and legislative norms of the region.

129. Regional organizations with which the Committee and the Office for Disarmament Affairs have cooperated specifically in outreach workshops include the African Union (AU), the ASEAN Regional Forum, the Commonwealth of Independent States, the European Union (EU), the League of Arab States, the Organization of American States (OAS) and the Organization for Security and Cooperation in Europe (OSCE). Cooperation was also developed with subregional organizations, notably the Caribbean Community (CARICOM), the Economic Community of West African States, the Pacific Islands Forum Secretariat and the Southern African Development Community. The activities of some of those organizations in turn provided opportunities for the participation of representatives of the Committee and its experts.

130. The ASEAN Regional Forum,[9] the Collective Security Treaty Organization (CSTO),[10] OAS,[11] and OSCE[12] each held workshops for their members concerning

[9] ASEAN Regional Forum, "Statement supporting national implementation of United Nations Security Council resolution 1540 (2004)", Ministerial Meeting, 2 August 2007, at www.state.gov/documents/organization/91400.pdf.

[10] Letter from the Secretary-General of CSTO to the 1540 Committee Chairman, 6 February 2008.

[11] Organization of American States, General Assembly resolution AG/RES. 2333 (XXXVII O/07) entitled "Support for implementation at the hemispheric level of United Nations Security Council resolution 1540 (2004)", 5 June 2007, at www.state.gov/documents/organization/91210.pdf.

[12] Forum for Security Cooperation, Organization for Security and Cooperation in Europe (OSCE), Decision No. 6/06, "OSCE FSC Workshop on the Implementation of UNSCR 1540 (2004)",

implementation of resolution 1540 (2004) and/or adopted decisions or resolutions on, or that included, statements encouraging their respective member States to implement resolution 1540 (2004) and, as appropriate, to develop national action plans. Following the ASEAN Regional Forum workshop, a member State submitted a detailed assistance request to the Committee, which a donor State has agreed to support. Furthermore, within the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction, the European Union adopted a joint action in support of 1540 Committee outreach activities.

IX. Transparency

131. As an integral part of its fifth programme of work, extended by the sixth, the Committee continued to maintain transparency as an important objective of its work. To that end the Committee, through briefings by its Chairman, continued formally to inform the Security Council of its work. The Committee's outreach activities also contribute to transparency, with its benefit to Member States and international, regional and subregional organizations.

132. Recognizing that the website of the Committee, as its public face, is a powerful medium for maintaining transparency, the Committee approved its redesign in order to enrich its content, make it more navigable and enhance its overall aesthetic appeal. The website (www.un.org/sc/1540), as upgraded by the Committee with the assistance of the Department of Public Information and the Office for Disarmament Affairs, was relaunched on 26 December 2007.

133. The Committee remains seized of the matter of the posting of matrices on its website.

134. The Committee considers and approves from time to time the categories of information that appear on its website.

X. Conclusions and recommendations

135. Pursuant to resolution 1673 (2006), the Committee, during the period under review, has intensified its efforts to promote the full implementation by all States of resolution 1540 (2004), in particular in the areas of outreach and assistance.

136. Major conferences held, inter alia, in Africa, Asia, Latin America and the Caribbean, and the Middle East involved the majority of States Members of the United Nations and contributed, together with other outreach activities, to a much greater awareness of the importance of resolution 1540 (2004) and its implementation for the security and well-being of all States.

137. Following the open meeting of the Security Council in February 2007, the Committee expanded its cooperation with relevant international and regional organizations, seeking to involve them more actively in practical implementation of resolution 1540 (2004). Several of those organizations adopted decisions specifically aimed at promoting implementation by their members.

FSC.DEC.6/06, 27 September 2006, at www.osce.org/documents/fsc/2006/09/20795_en.pdf, and Ministerial Council Decision No. 10/06, "Supporting National Implementation of UNSCR 1540 (2004), MC.DEC/10/06, 5 December 2006.

138. The Committee increased its attention to its clearing house role in facilitating assistance required to fully implement the resolution. The decisions adopted by the Committee in that regard, including approval of an assistance template designed to help States identify their assistance needs in line with the requirements set out in resolution 1540 (2004), as well as its interaction with potential donors and recipients of assistance, provided a solid foundation for further assistance efforts by the international community.

139. The information obtained by the Committee during the reporting period clearly demonstrates that States have initiated measures to meet more fully their obligations under resolution 1540 (2004). The full implementation of the resolution, however, is a long-term endeavour requiring ongoing outreach and assistance programmes tailored to the needs of each State. To that end, in resolution 1810 (2008), the Security Council decided to extend the Committee's mandate for a further period of three years.

140. In order to promote full implementation by all States of resolution 1540 (2004), the Committee makes the following recommendations, consistent with resolution 1810 (2008):

(a) The recommendations of the Committee in its report to the Security Council in 2006 should be reaffirmed;

(b) States that have not yet presented a first report on steps they have taken or intend to take to implement resolution 1540 (2004) should be encouraged to submit such a report to the Committee without delay;

(c) States that have submitted such reports should be encouraged to provide, at any time or upon the request of the Committee, additional information on their implementation of resolution 1540 (2004);

(d) States that have requests for assistance should be encouraged to convey them to the Committee, and to make use of the Committee's assistance template to that effect; States and international, regional and subregional organizations should inform the Committee of areas in which they are able to provide assistance and, if they have not done so previously, provide the Committee with a point of contact for assistance;

(e) States should be encouraged to prepare on a voluntary basis, with the assistance of the Committee as appropriate, summary action plans mapping out their priorities and plans for implementing the key provisions of resolution 1540 (2004), and to submit those plans to the Committee;

(f) The Committee should continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004), through its programme of work, which includes the compilation of information on the status of States' implementation of all aspects of resolution 1540 (2004), outreach, dialogue, assistance and cooperation, and which addresses in particular all aspects of paragraphs 1 and 2 of that resolution, as well as of paragraph 3, which encompasses (a) accountability, (b) physical protection, (c) border controls and law enforcement efforts and (d) national export and trans-shipment controls, including controls on providing funds and services such as financing to such export and trans-shipment;

(g) The ongoing dialogue between the Committee and States on their further actions to implement fully resolution 1540 (2004) and on technical assistance needed and offered should be pursued;

(h) The Committee should continue to organize and participate in outreach events at the regional, the subregional and, as appropriate, the national level promoting States' implementation of resolution 1540 (2004);

(i) The Committee should continue strengthening its role in facilitating technical assistance for implementation of resolution 1540 (2004), including by engaging actively in matching offers and requests for assistance through such means as assistance templates, action plans or other information submitted to the Committee;

(j) The Committee should engage actively with States and relevant international, regional and subregional organizations to promote the sharing of experience and lessons learned in the areas covered by resolution 1540 (2004) and to liaise on the availability of programmes which might facilitate the implementation of resolution 1540 (2004);

(k) The Committee should provide opportunities for interaction with interested States and relevant international, regional and subregional organizations to promote implementation of resolution 1540 (2004);

(l) The ongoing cooperation between the 1540 Committee, the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban, and the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism needs to be enhanced, including through, as appropriate, enhanced information sharing, coordination on visits to countries within their respective mandates, technical assistance and other issues of relevance to all three committees, and expresses its intention to provide guidance to the committees on areas of common interest in order better to coordinate their efforts;

(m) The Committee should encourage and take full advantage of voluntary financial contributions to assist States in identifying and addressing their needs for the implementation of resolution 1540 (2004) and the Committee should consider options for developing and making more effective existing funding mechanisms.

Annex I

Experts appointed to assist the Committee during its current mandate

Name	*Country*
Andemicael, Berhanykun[a]	Eritrea
Bosch, Olivia	United Kingdom of Great Britain and Northern Ireland
Cerini, Ana Maria	Argentina
Cupitt, Richard[b]	United States of America
Heineken, Gunterio[c]	Argentina
Howlett, Brad	Australia
Interlandi, Isabella	Italy
Monteleone-Neto, Roque[d]	Brazil
Siddhartha, Venkatasubbiah	India
Slipchenko, Victor	Russian Federation

[a] Coordinator.
[b] Point of contact for assistance.
[c] Until July 2007.
[d] Until February 2007.

Annex II

List of documents related to the work of the Committee

Title	*Date*	*Document number or website*
Committee's report 2006	25 April 2006	S/2006/257 and Corr.1
		www.un.org/sc/1540/committeereports.shtml
Security Council resolution 1673 (2006)	27 April 2006	S/RES/1673 (2006)
		www.un.org/sc/1540/resolutionstatements.shtml
Security Council resolution 1810 (2008)	25 April 2008	S/RES/1810 (2008)
		www.un.org/sc/1540/resolutionstatements.shtml
Statement by the President of the Security Council	23 February 2007	S/PRST/2007/4
		www.un.org/sc/1540/resolutionstatements.shtml
Programmes of work		www.un.org/sc/1540/programofwork.shtml
Chairman's briefings to the Security Council	30 May 2006	www.un.org/sc/1540/chairpersonsbriefings.shtml
	28 September 2006	
	22 May 2007	
	14 November 2007	
	17 December 2007	
	6 May 2008	
Letters from the Secretary-General to the President of the Security Council on the appointment of experts	15 February 2007	S/2007/95
	11 May 2007	S/2007/272
Notes by the President of the Security Council on the appointment of chairmen and vice-chairmen	18 January 2007	S/2007/20
	3 January 2008	S/2008/2
Assistance template		www.un.org/sc/1540/assistancetemplate.shtml

Annex III

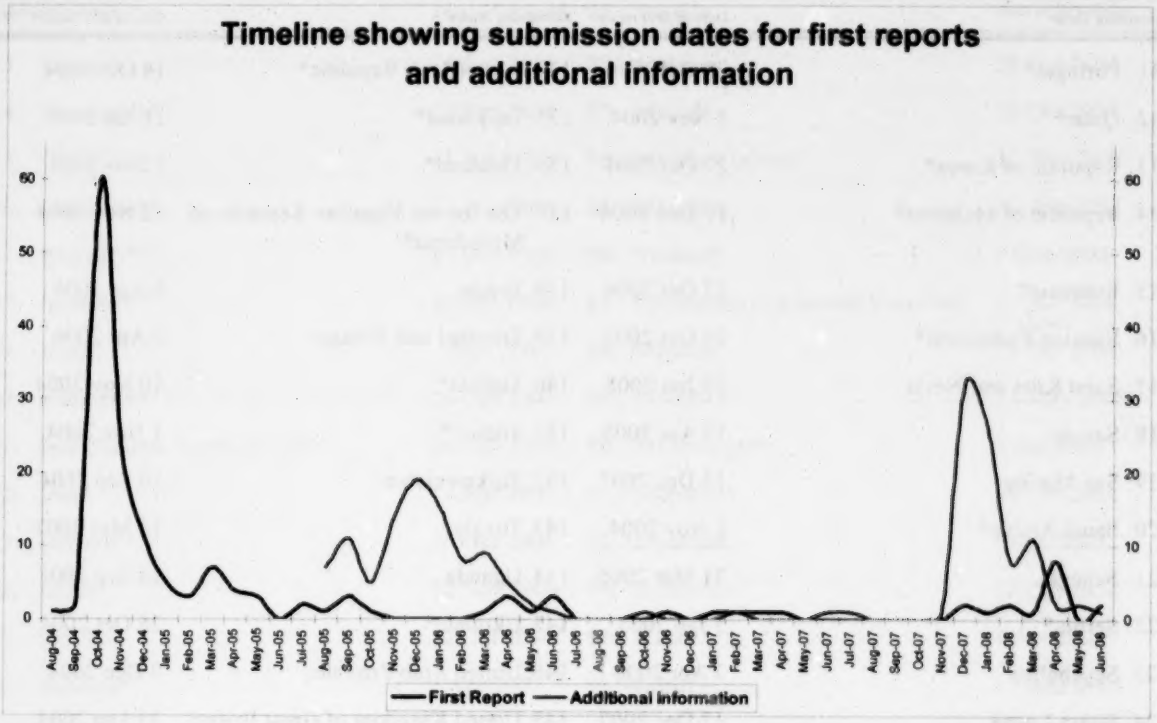
Member States that had submitted national reports or additional information as at 1 July 2008

Submitting States	*Date of first report*	*Submitting States*	*Date of first report*
1. Albania*	28 Oct 2004	27. Cambodia	21 Mar 2005
2. Algeria*	10 Nov 2004	28. Canada*	31 Dec 2004
3. Andorra*	27 Oct 2004	29. Chile*	27 Oct 2004
4. Angola	27 Oct 2004	30. China*	4 Oct 2004
5. Antigua and Barbuda	6 Nov 2006	31. Colombia	10 Feb 2005
6. Argentina*	26 Oct 2004	32. Costa Rica*	4 Aug 2004
7. Armenia*	9 Nov 2004	33. Croatia*	29 Nov 2004
8. Australia*	28 Oct 2004	34. Cuba*	28 Oct 2004
9. Austria*	28 Oct 2004	35. Cyprus*	24 Nov 2004
10. Azerbaijan*	28 Oct 2004	36. Czech Republic*	27 Oct 2004
11. Bahamas	28 Oct 2004	37. Democratic Republic of the Congo	24 Apr 2008
12. Bahrain*	22 Dec 2004	38. Denmark*	27 Oct 2004
13. Bangladesh	27 Jun 2006	39. Djibouti	17 Mar 2005
14. Barbados	28 Mar 2008	40. Dominica	17 Apr 2008
15. Belarus*	20 Oct 2004	41. Ecuador*	7 Apr 2005
16. Belgium*	26 Oct 2004	42. Egypt*	28 Oct 2004
17. Belize*	20 Oct 2004	43. El Salvador	28 Sep 2005
18. Benin	3 Mar 2005	44. Eritrea	22 Jun 2006
19. Bolivia*	8 Mar 2005	45. Estonia*	29 Oct 2004
20. Bosnia and Herzegovina*	22 Nov 2004	46. Fiji	4 Feb 2008
21. Botswana	18 Apr 2008	47. Finland*	28 Oct 2004
22. Brazil*	29 Oct 2004	48. France*	28 Oct 2004
23. Brunei Darussalam*	30 Dec 2004	49. Georgia*	28 Oct 2004
24. Bulgaria*	18 Nov 2004	50. Germany*	26 Oct 2004
25. Burkina Faso	4 Jan 2005	51. Ghana	5 Nov 2004
26. Burundi	4 Apr 2008	52. Greece*	22 Oct 2004

Submitting States	*Date of first report*	*Submitting States*	*Date of first report*
53. Grenada	26 Sep 2005	82. Malaysia	26 Oct 2004
54. Guatemala*	27 Oct 2004	83. Malta*	20 Oct 2004
55. Guyana*	11 Nov 2004	84. Marshall Islands	23 Nov 2004
56. Honduras*	20 Jun 2006	85. Mauritius	30 Apr 2007
57. Hungary*	27 Oct 2004	86. Mexico*	7 Dec 2004
58. Iceland*	28 Oct 2004	87. Micronesia (Federated States of)	27 Jun 2008
59. India*	1 Nov 2004	88. Monaco*	29 Oct 2004
60. Indonesia*	28 Oct 2004	89. Mongolia	31 May 2005
61. Iran (Islamic Republic of)*	28 Feb 2005	90. Montenegro*	5 Jan 2005
62. Iraq*	13 Apr 2005	91. Morocco*	28 Oct 2004
63. Ireland*	28 Oct 2004	92. Myanmar	6 Apr 2005
64. Israel	22 Nov 2004	93. Namibia*	26 Oct 2004
65. Italy*	27 Oct 2004	94. Nauru	4 Apr 2008
66. Jamaica*	5 Apr 2005	95. Nepal	17 Mar 2006
67. Japan*	28 Oct 2004	96. Netherlands*	28 Oct 2004
68. Jordan*	9 Feb 2005	97. New Zealand*	28 Oct 2004
69. Kazakhstan*	3 Nov 2004	98. Nicaragua	26 Jan 2007
70. Kenya*	20 Jul 2005	99. Niger	11 Jan 2008
71. Kiribati	1 May 2006	100. Nigeria	28 Oct 2004
72. Kuwait	31 Mar 2005	101. Norway*	28 Oct 2004
73. Kyrgyzstan*	14 Dec 2004	102. Oman*	17 Dec 2004
74. Lao People's Democratic Republic	3 May 2005	103. Pakistan*	27 Oct 2004
75. Latvia*	28 Oct 2004	104. Palau	10 Apr 2008
76. Lebanon*	20 Oct 2004	105. Panama*	12 Jul 2005
77. Libyan Arab Jamahiriya*	12 Apr 2005	106. Papua New Guinea	24 Apr 2008
78. Liechtenstein*	29 Nov 2004	107. Paraguay*	3 Nov 2004
79. Lithuania*	27 Oct 2004	108. Peru*	1 Nov 2004
80. Luxembourg*	29 Oct 2004	109. Philippines*	28 Oct 2004
81. Madagascar	27 Feb 2008	110. Poland*	27 Oct 2004

Submitting States	*Date of first report*	*Submitting States*	*Date of first report*
111. Portugal*	28 Oct 2004	134. Syrian Arab Republic*	14 Oct 2004
112. Qatar*	5 Nov 2004	135. Tajikistan*	11 Jan 2005
113. Republic of Korea*	27 Oct 2004	136. Thailand*	5 Nov 2004
114. Republic of Moldova*	17 Dec 2004	137. The former Yugoslav Republic of Macedonia*	22 Nov 2004
115. Romania*	27 Oct 2004	138. Tonga	5 Apr 2006
116. Russian Federation*	26 Oct 2004	139. Trinidad and Tobago	7 Apr 2006
117. Saint Kitts and Nevis	30 Jun 2008	140. Tunisia*	10 Nov 2004
118. Samoa	13 Apr 2006	141. Turkey*	1 Nov 2004
119. San Marino	13 Dec 2007	142. Turkmenistan	10 Sep 2004
120. Saudi Arabia*	1 Nov 2004	143. Tuvalu	13 Mar 2007
121. Senegal	31 Mar 2005	144. Uganda	14 Sep 2005
122. Serbia*	5 Jan 2005	145. Ukraine*	25 Oct 2004
123. Seychelles	7 Apr 2008	146. United Arab Emirates	9 Dec 2004
124. Sierra Leone	17 Dec 2007	147. United Kingdom of Great Britain and Northern Ireland*	29 Sep 2004
125. Singapore*	21 Oct 2004	148. United Republic of Tanzania	29 Aug 2005
126. Slovakia*	2 Nov 2004	149. United States of America*	12 Oct 2004
127. Slovenia*	28 Oct 2005	150. Uruguay*	22 Dec 2004
128. South Africa*	31 Jan 2005	151. Uzbekistan*	15 Nov 2004
129. Spain*	26 Oct 2004	152. Vanuatu	22 Feb 2007
130. Sri Lanka*	11 May 2005	153. Venezuela (Bolivarian Republic of)*	16 Nov 2004
131. Suriname	23 Jan 2008	154. Viet Nam*	26 Oct 2004
132. Sweden*	28 Oct 2004	155. Yemen	29 Dec 2004
133. Switzerland*	22 Oct 2004	Other submission: European Union	28 Oct 2004

* States that provided additional information on measures taken or planned to be taken to implement resolution 1540 (2004).


Timeline showing submission dates for first reports and additional information
60
50
40
30
20
10
0
Aug-04
Sep-04
Oct-04
Nov-04
Dec-04
Jan-05
Feb-05
Mar-05
Apr-05
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Aug-07
Sep-07
Oct-07
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Dec-07
Jan-08
Feb-08
Mar-08
Apr-08
May-08
Jun-08
First Report
Additional information

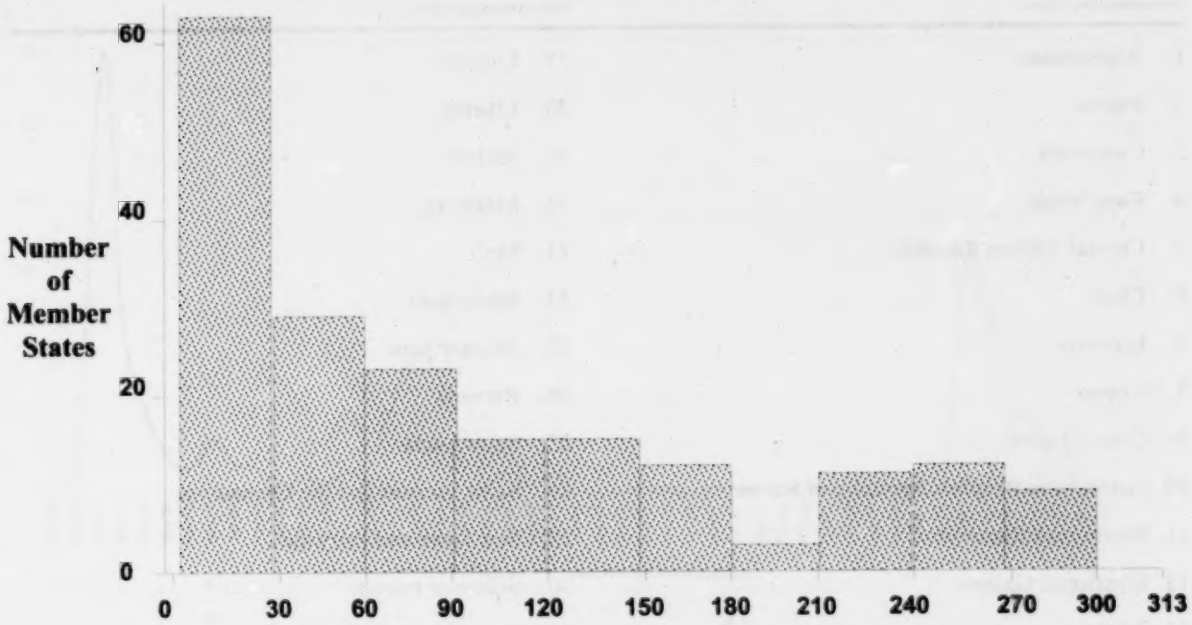
Annex IV

Member States that have not submitted a report as at 1 July 2008

Non-submitting States	*Non-submitting States*
1. Afghanistan	19. Lesotho
2. Bhutan	20. Liberia
3. Cameroon	21. Malawi
4. Cape Verde	22. Maldives
5. Central African Republic	23. Mali
6. Chad	24. Mauritania
7. Comoros	25. Mozambique
8. Congo	26. Rwanda
9. Côte d'Ivoire	27. Saint Lucia
10. Democratic People's Republic of Korea	28. Saint Vincent and the Grenadines
11. Dominican Republic	29. Sao Tome and Principe
12. Equatorial Guinea	30. Solomon Islands
13. Ethiopia	31. Somalia
14. Gabon	32. Sudan
15. Gambia	33. Swaziland
16. Guinea	34. Timor-Leste
17. Guinea Bissau	35. Togo
18. Haiti	36. Zambia
	37. Zimbabwe

Annex V

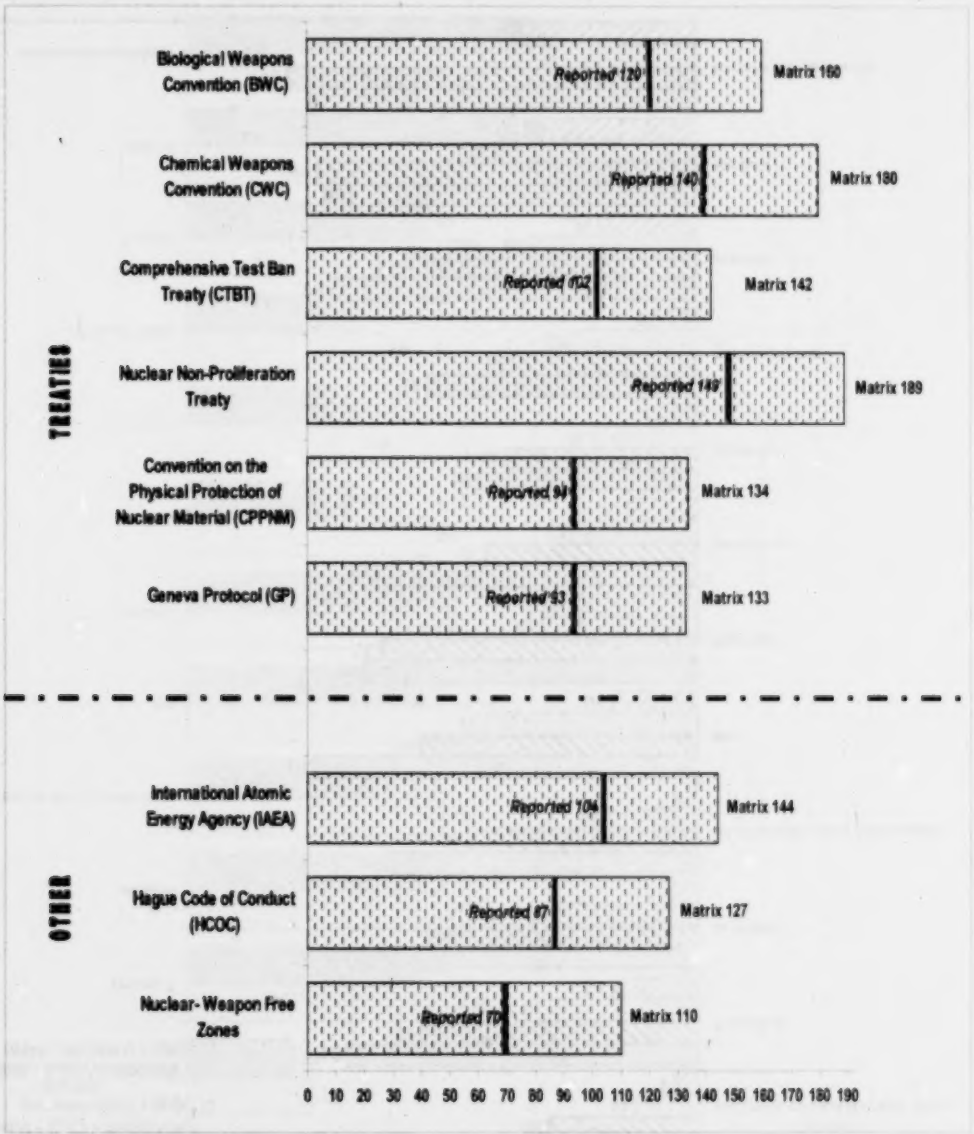
Extent of implementation as identified through the measures taken by States and reflected in their matrices



Note: The above chart is based on information compiled by the Committee on the 313 of the 382 matrix elements that pertain to implementation measures, for example those contained in paras. 2, 3 (a-d), 6 and 8 (d).

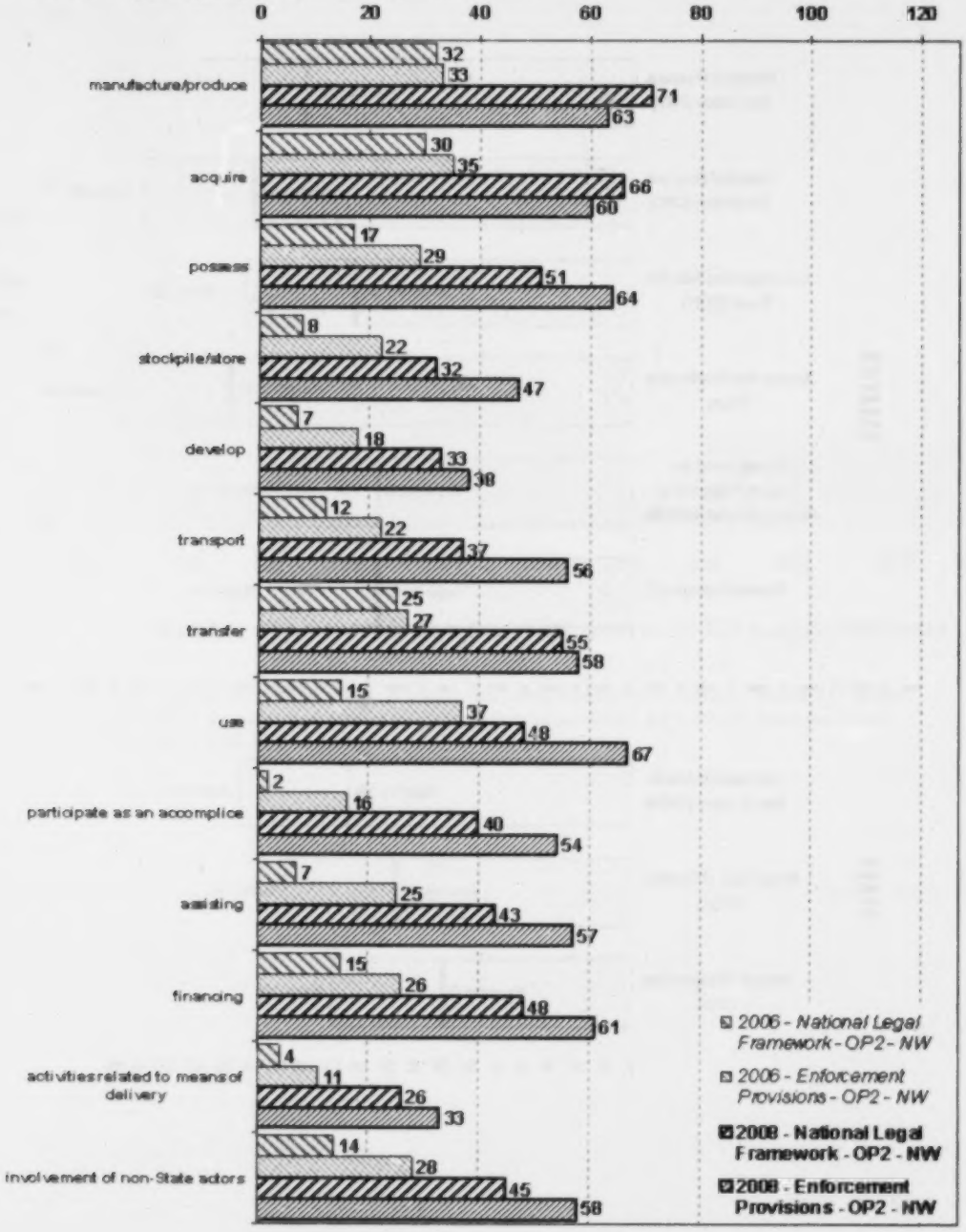
Annex VI

Adherence to non-proliferation treaties, conventions, protocols and other instruments relevant to Security Council resolution 1540 (2004) as reported by States and contained in States' matrices



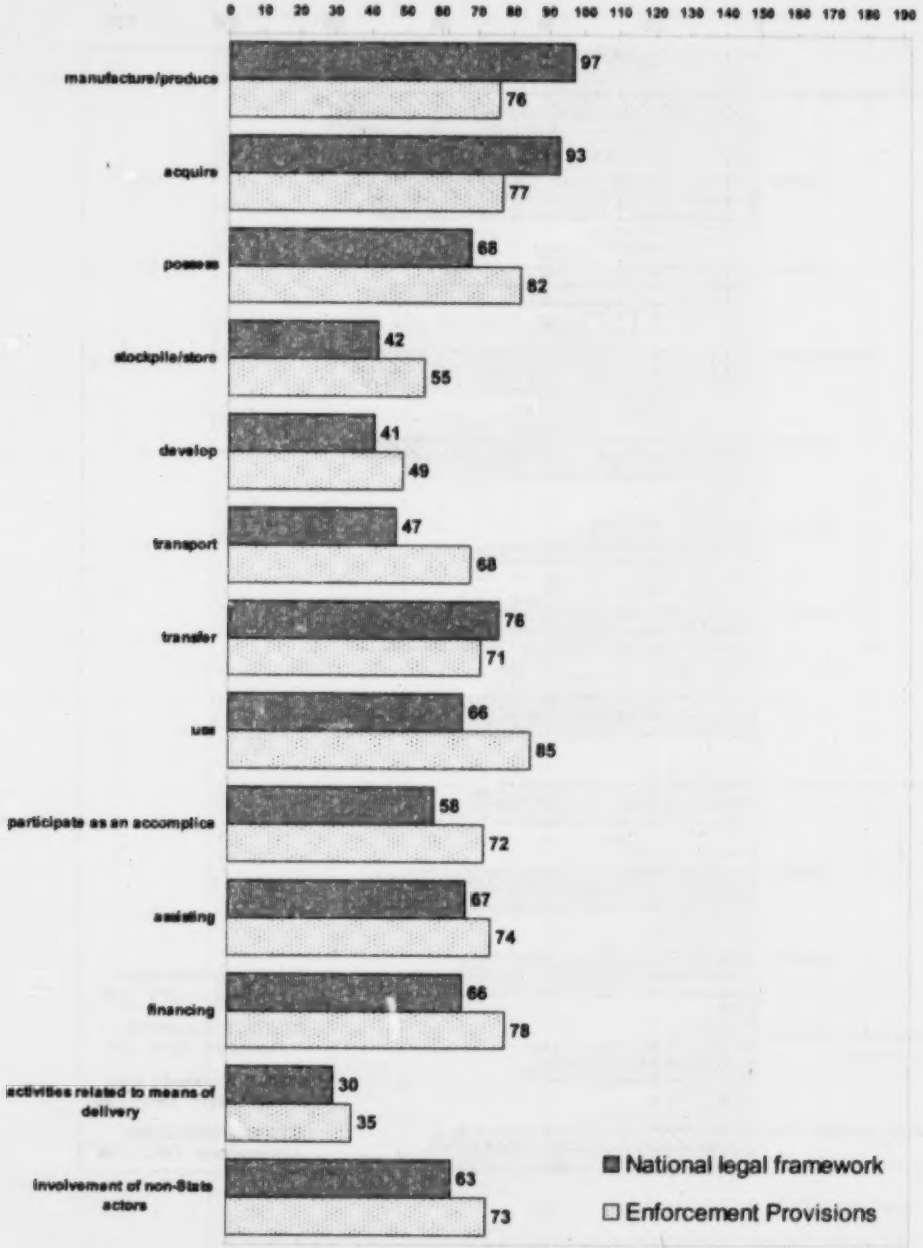
Annex VII.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 2 — nuclear weapons



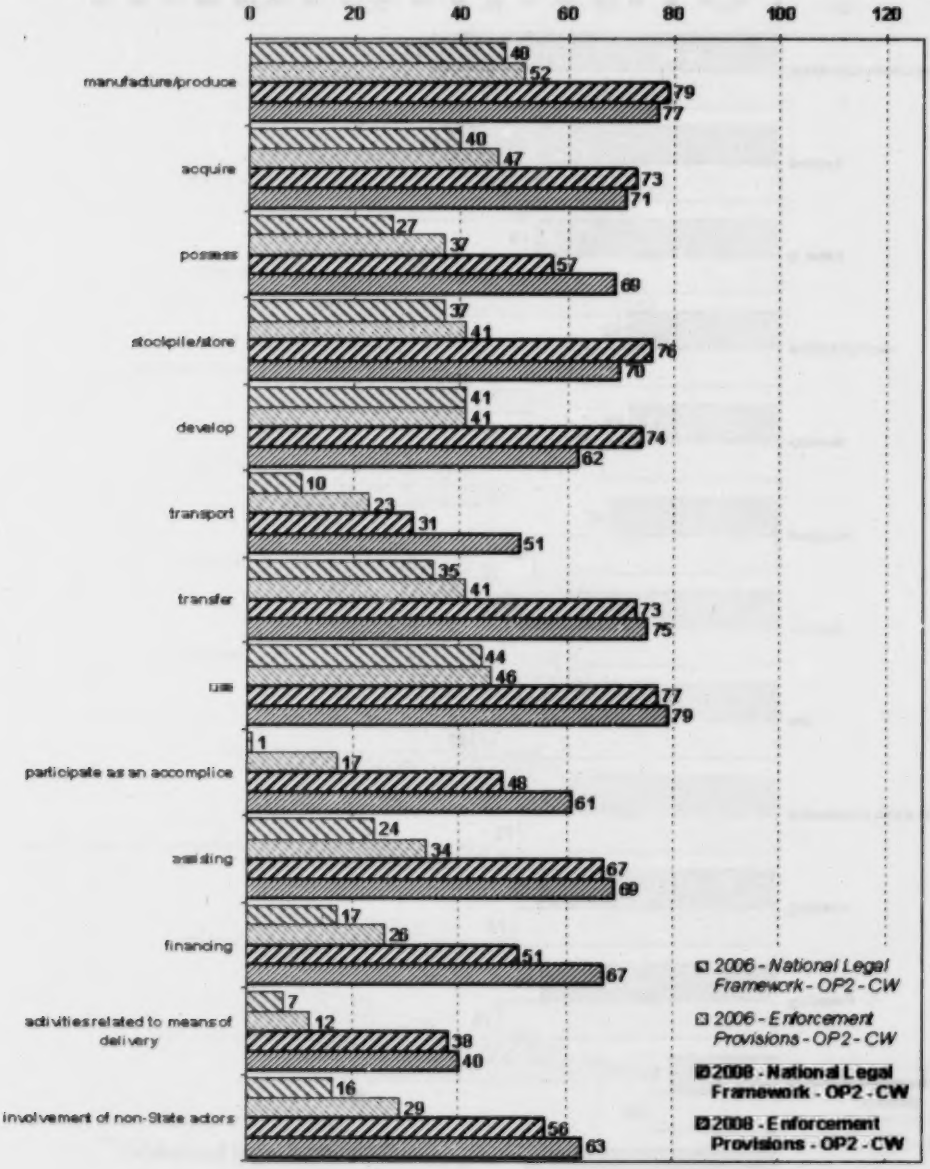
Annex VII.B

Current assessment of implementation for 192 Member States — paragraph 2 — nuclear weapons



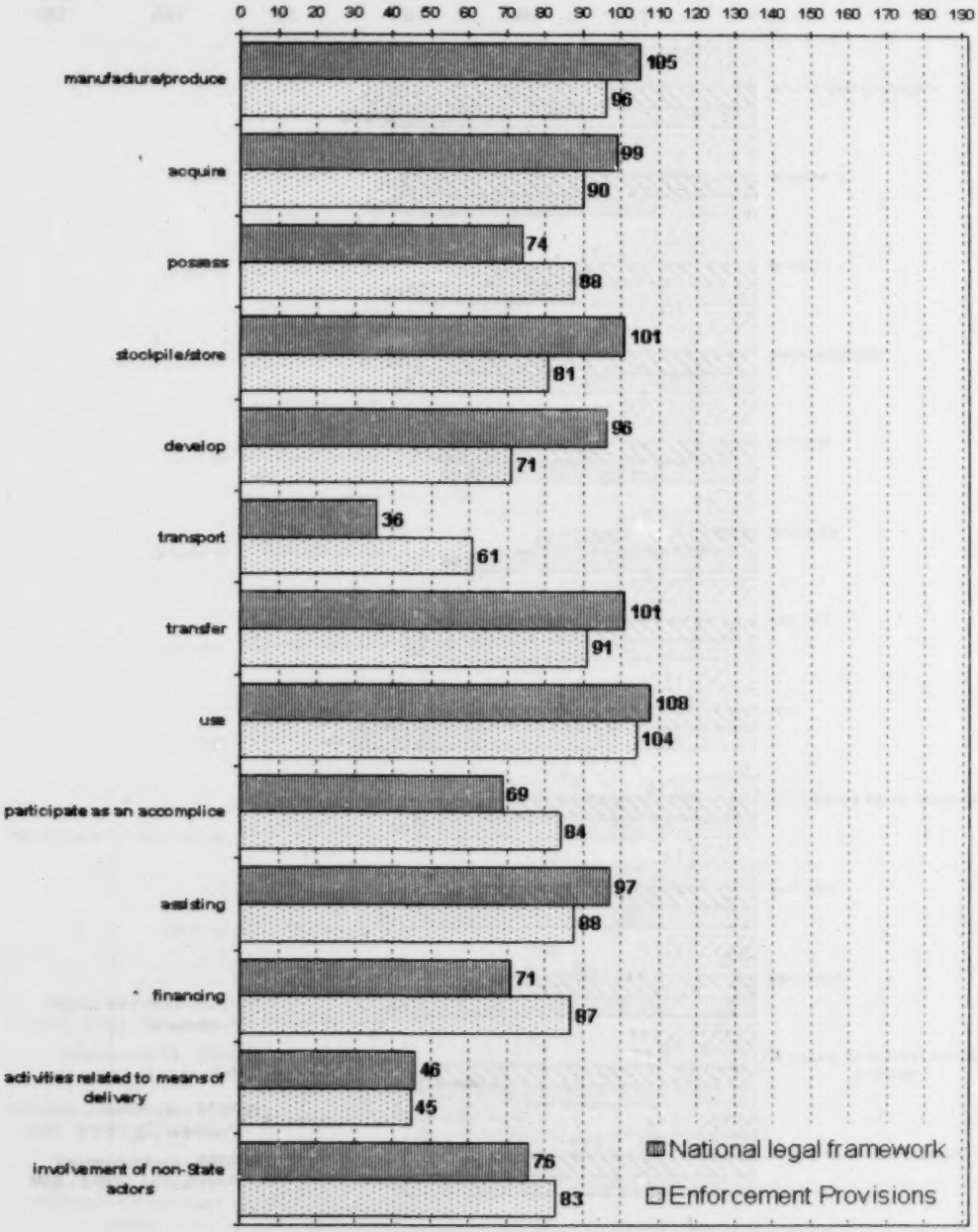
Annex VIII.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 2 — chemical weapons



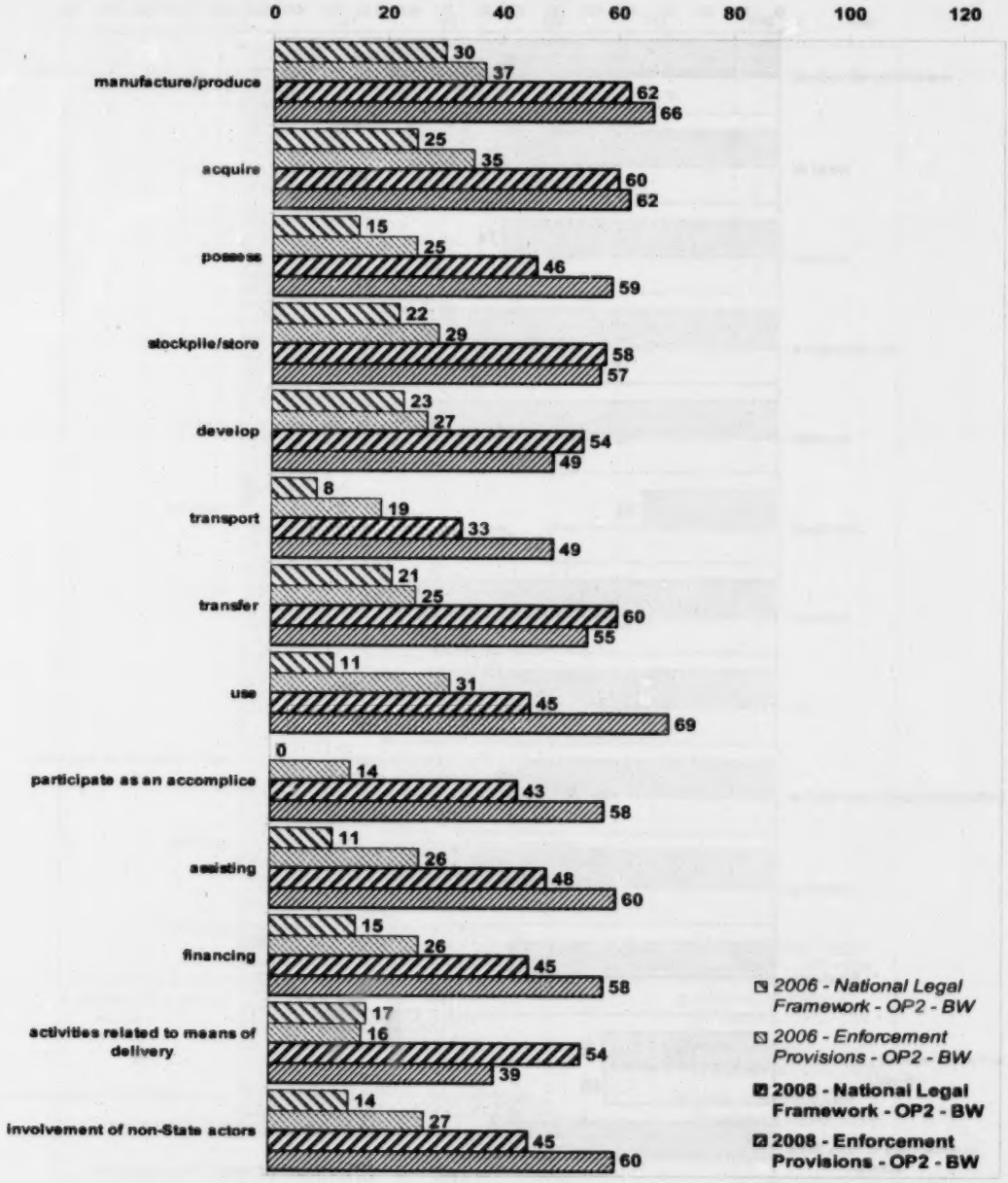
Annex VIII.B

Current assessment of implementation for 192 Member States — paragraph 2 — chemical weapons



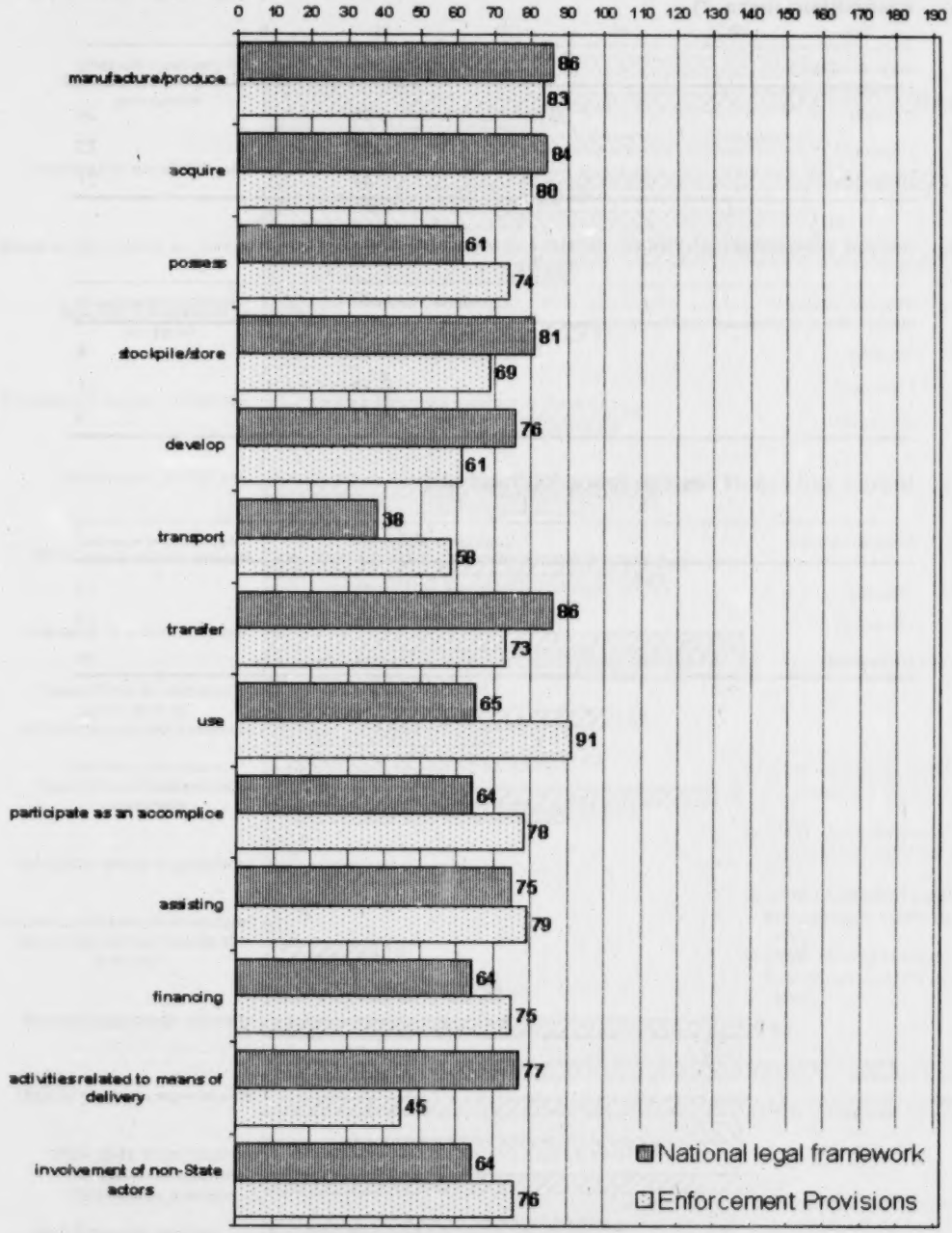
Annex IX.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 2 — biological weapons



Annex IX.B

Current assessment of implementation for 192 Member States — paragraph 2 — biological weapons



Annex X

Increases between 2006 and 2008 in the number of States reporting measures taken in respect of means of delivery

A. Prohibitions (para. 2)

Weapons category	*Legislative framework*	*Enforcement measures*
Nuclear	26	24
Chemical	35	32
Biological	44	27

B. Account for/secure/physically protect (para. 3 (a) and (b))

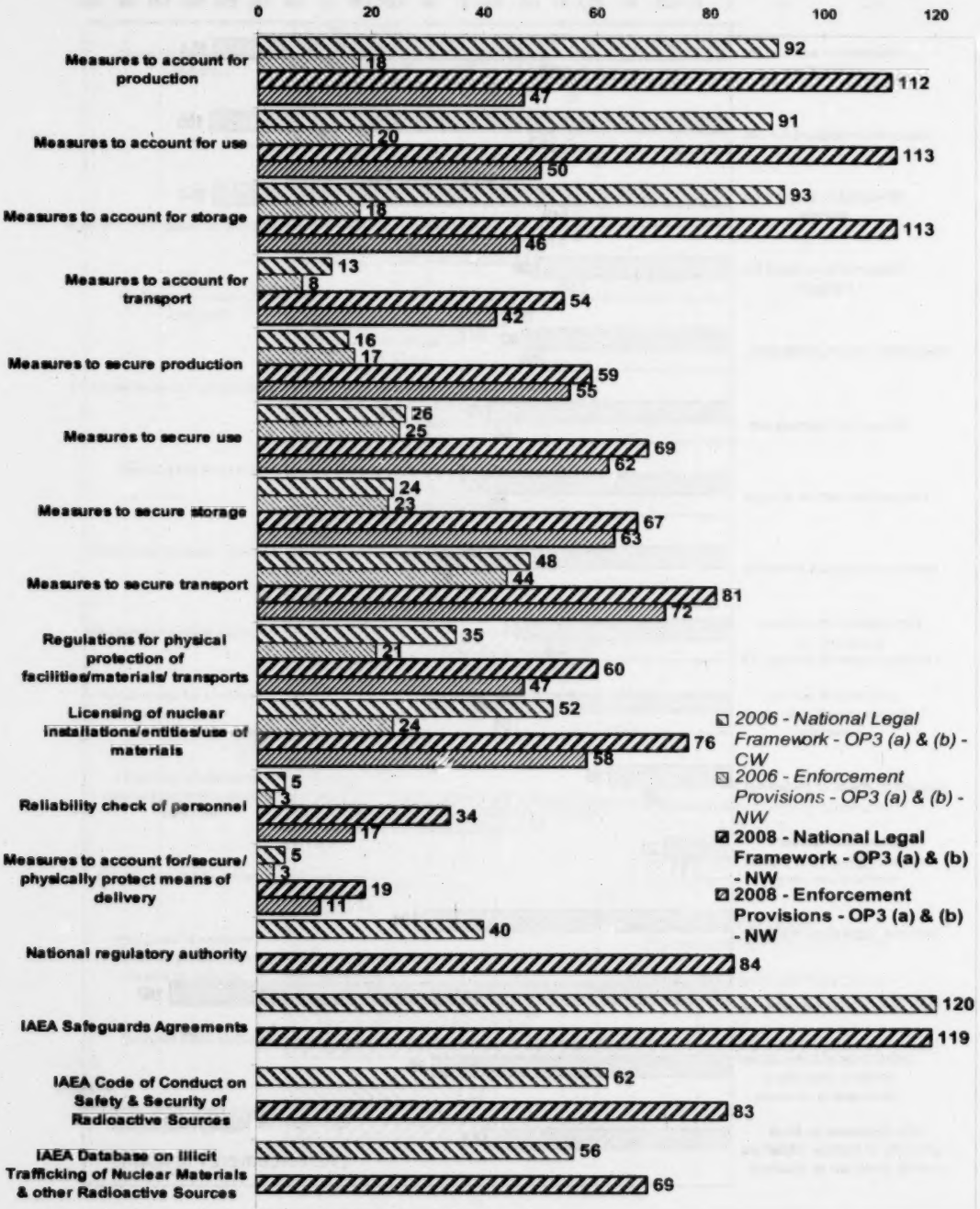
Weapons category	*Legislative framework*	*Enforcement measures*
Nuclear	14	8
Chemical	18	11
Biological	11	9

C. Border and export controls (para. 3 (c) and (d))

Weapons category	*Legislative framework*	*Enforcement measures*
Nuclear	11	15
Chemical	13	17
Biological	12	16

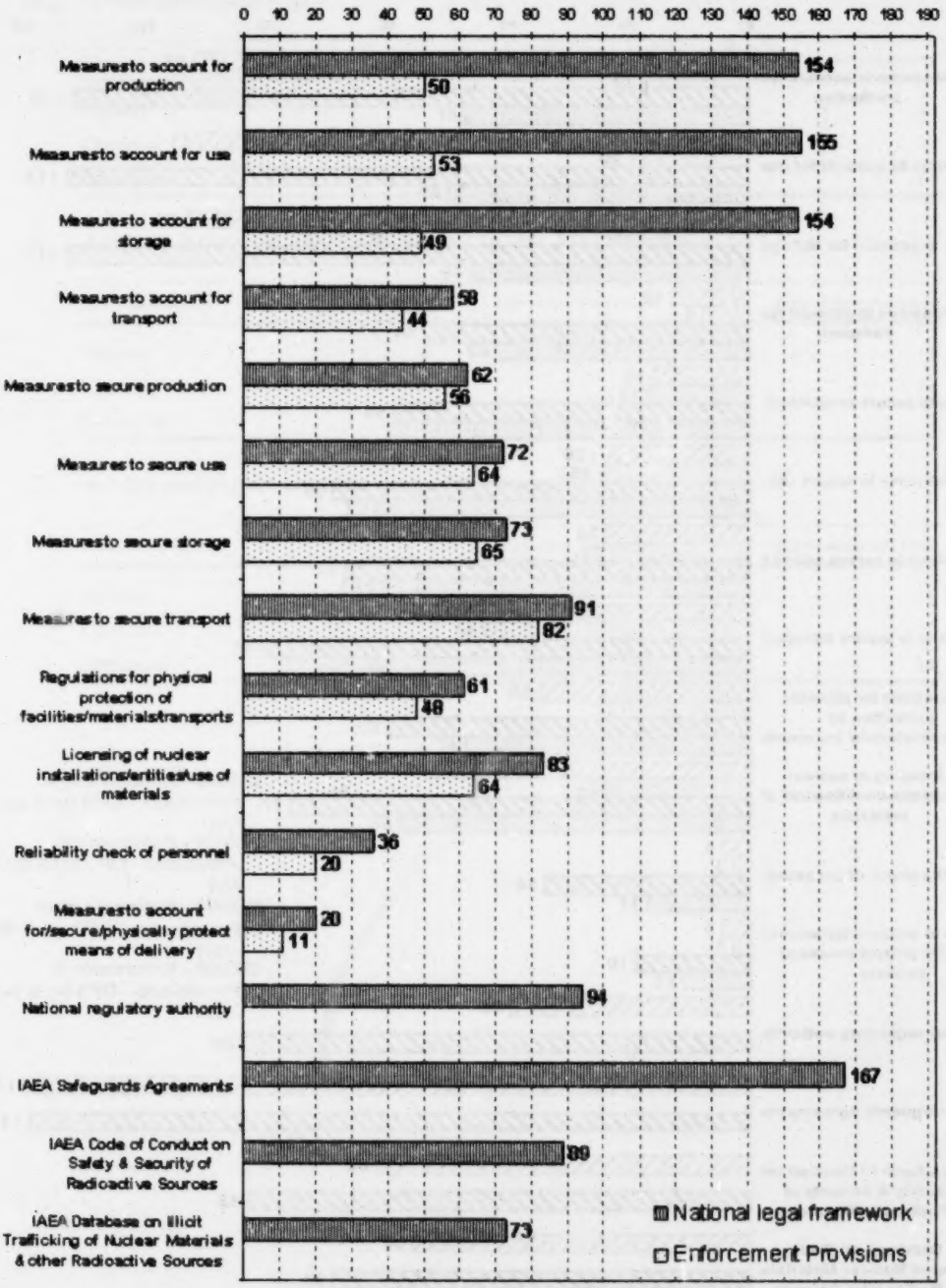
Annex XI.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 3 (a) and (b) — nuclear weapons and related materials



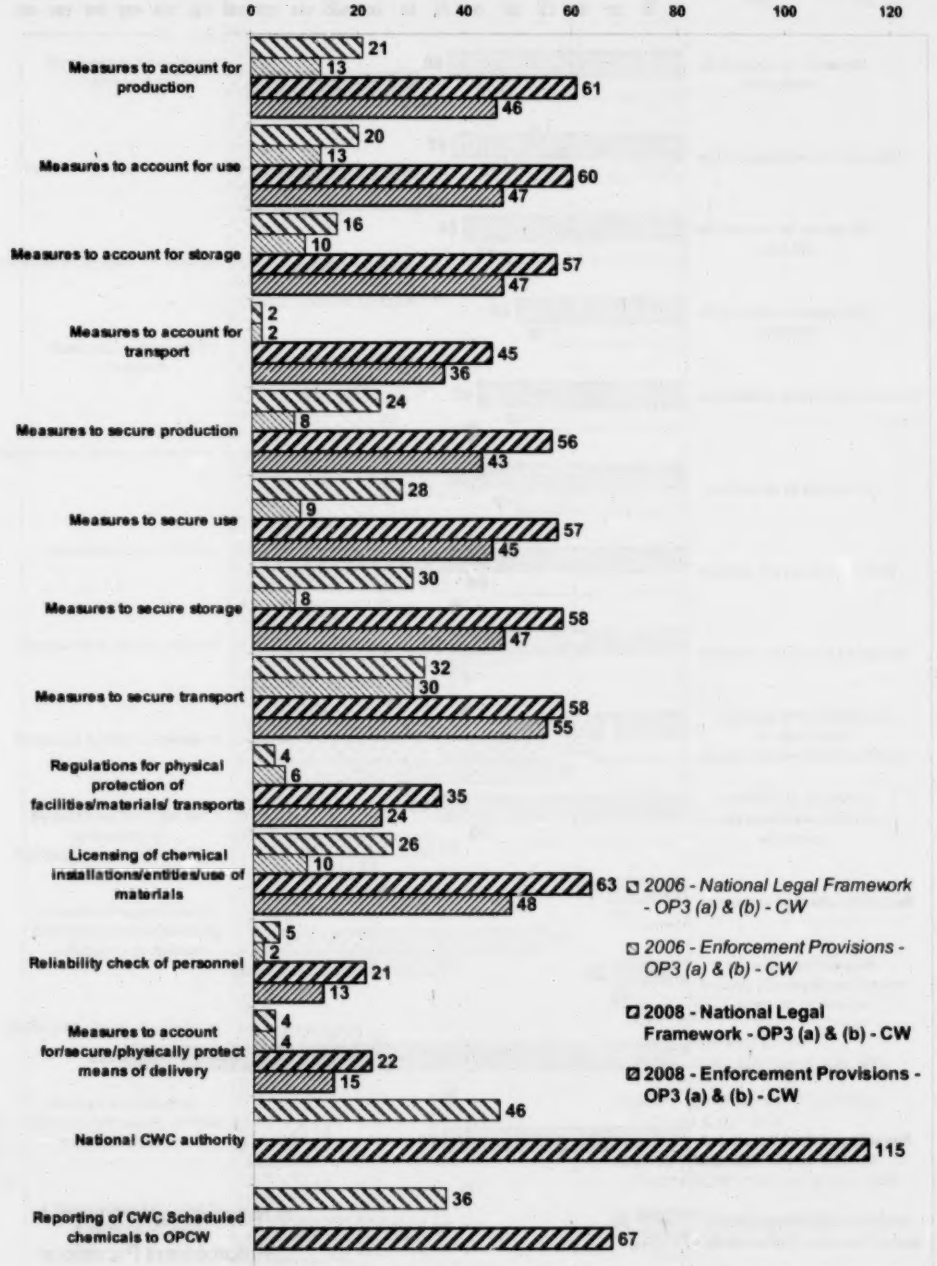
Annex XI.B

Current assessment of implementation for 192 Member States — paragraph 3 (a) and (b) — nuclear weapons and related materials



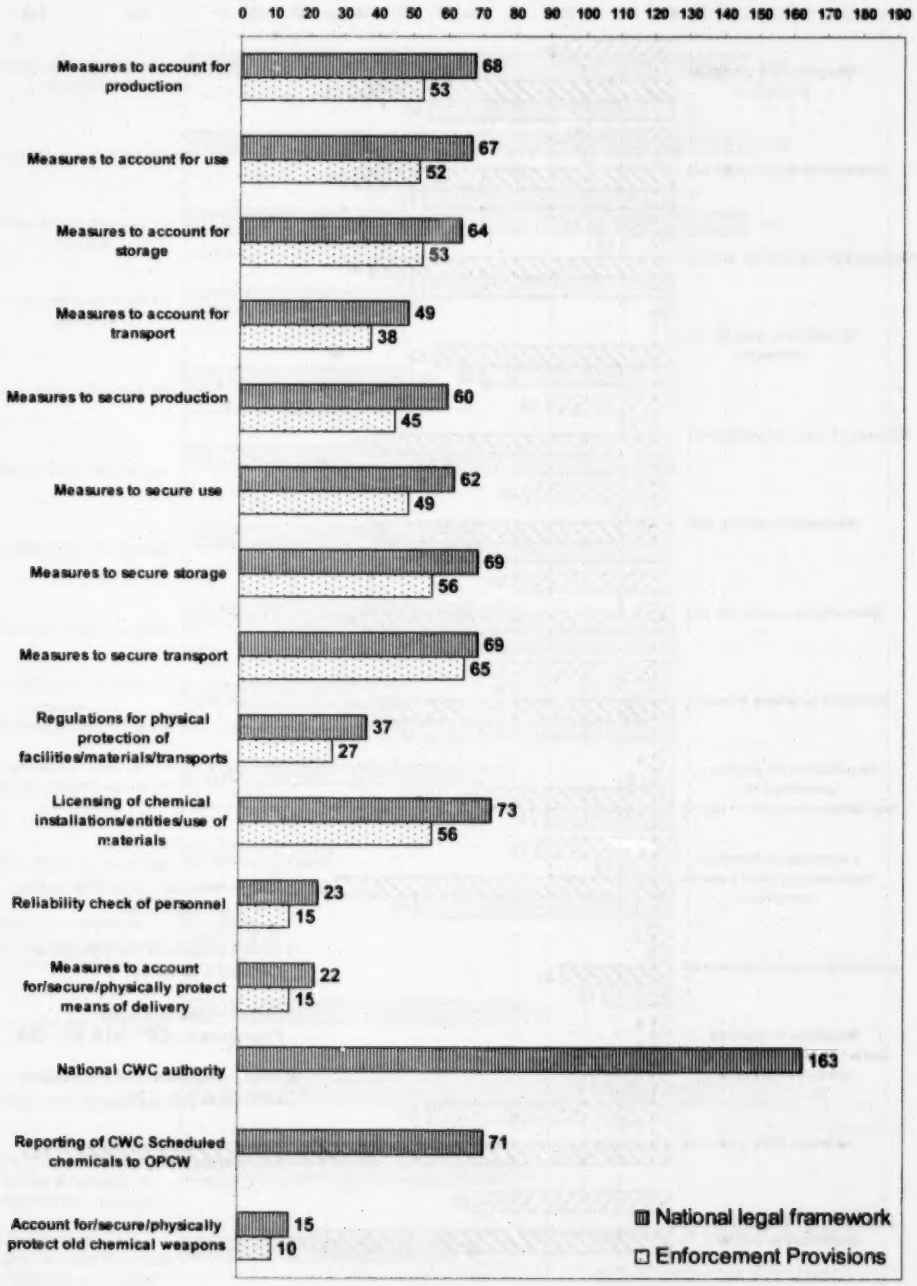
Annex XII.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 3 (a) and (b) — chemical weapons and related materials



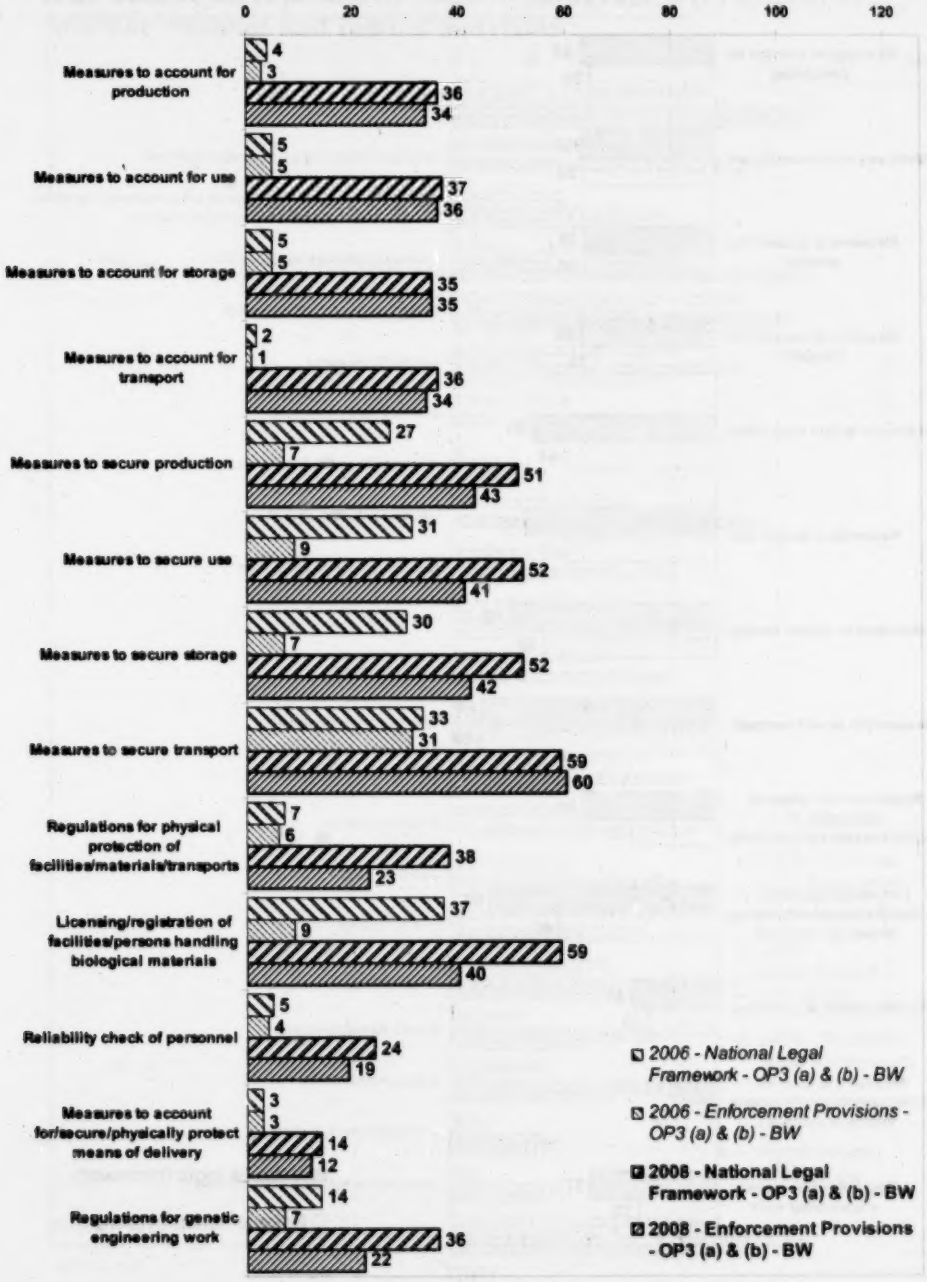
Annex XII.B

Current assessment of implementation for 192 Member States — paragraph 3 (a) and (b) — chemical weapons and related materials



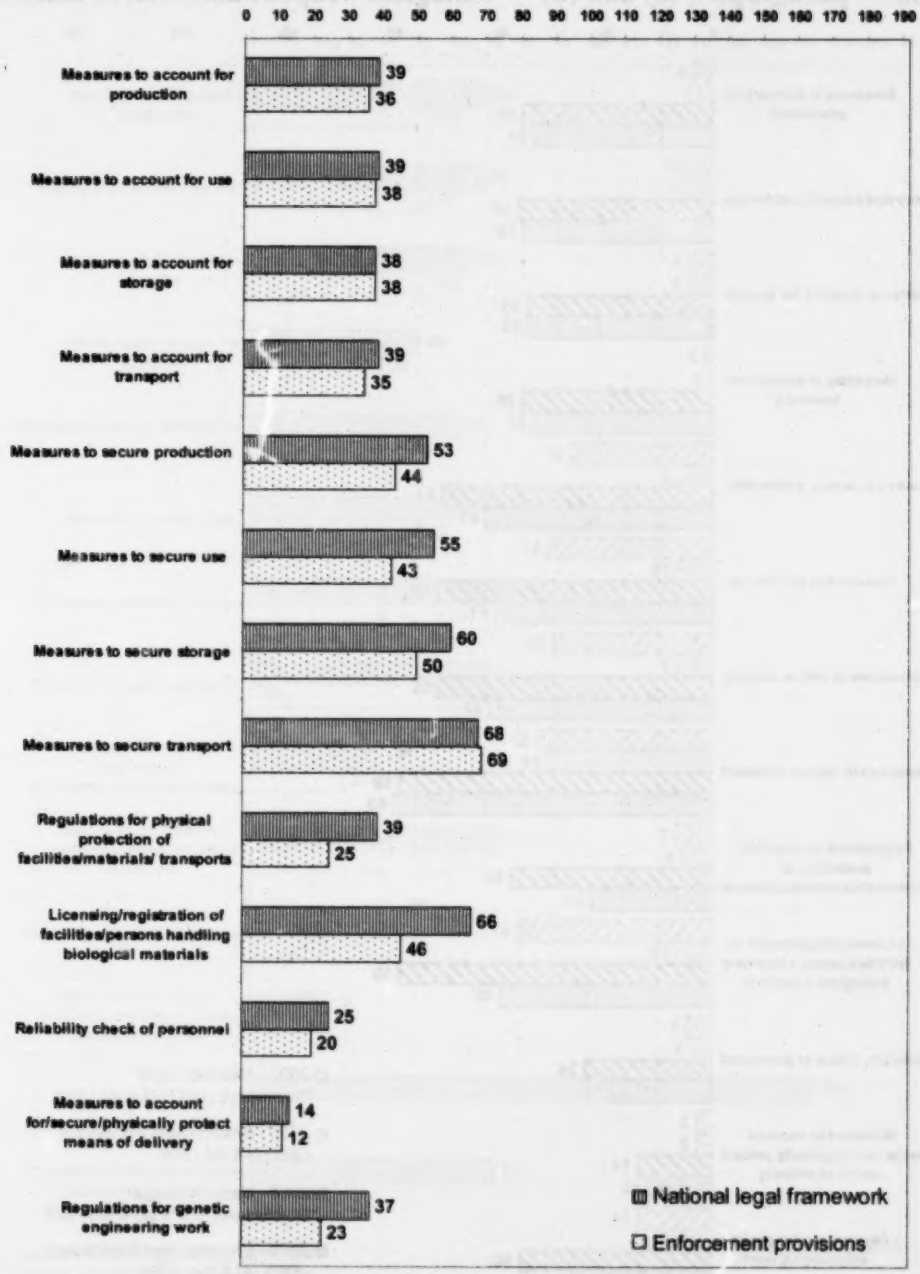
Annex XIII.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 3 (a) and (b) — biological weapons and related materials



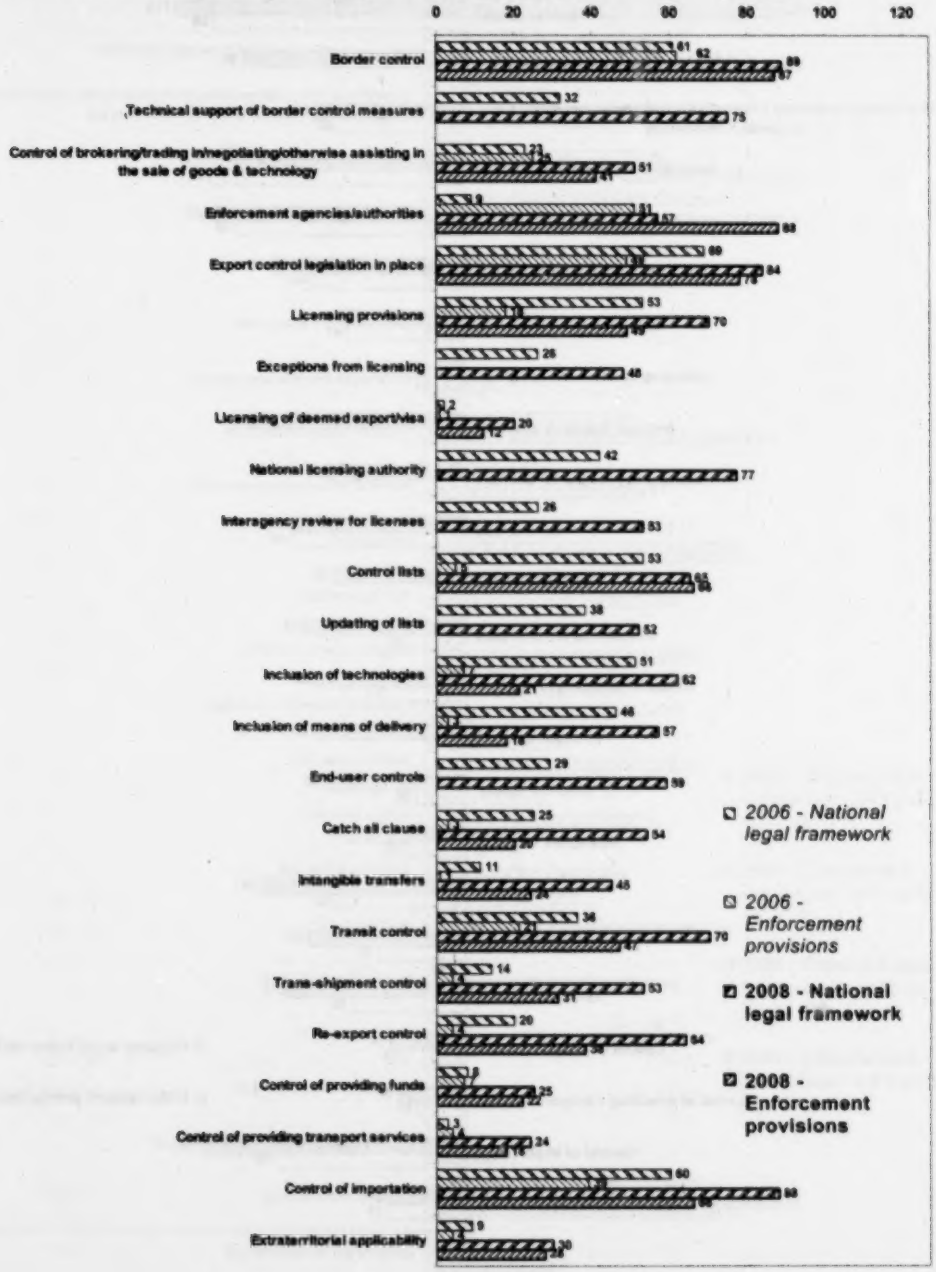
Annex XIII.B

Current assessment of implementation for 192 Member States — paragraph 3 (a) and (b) — biological weapons and related materials



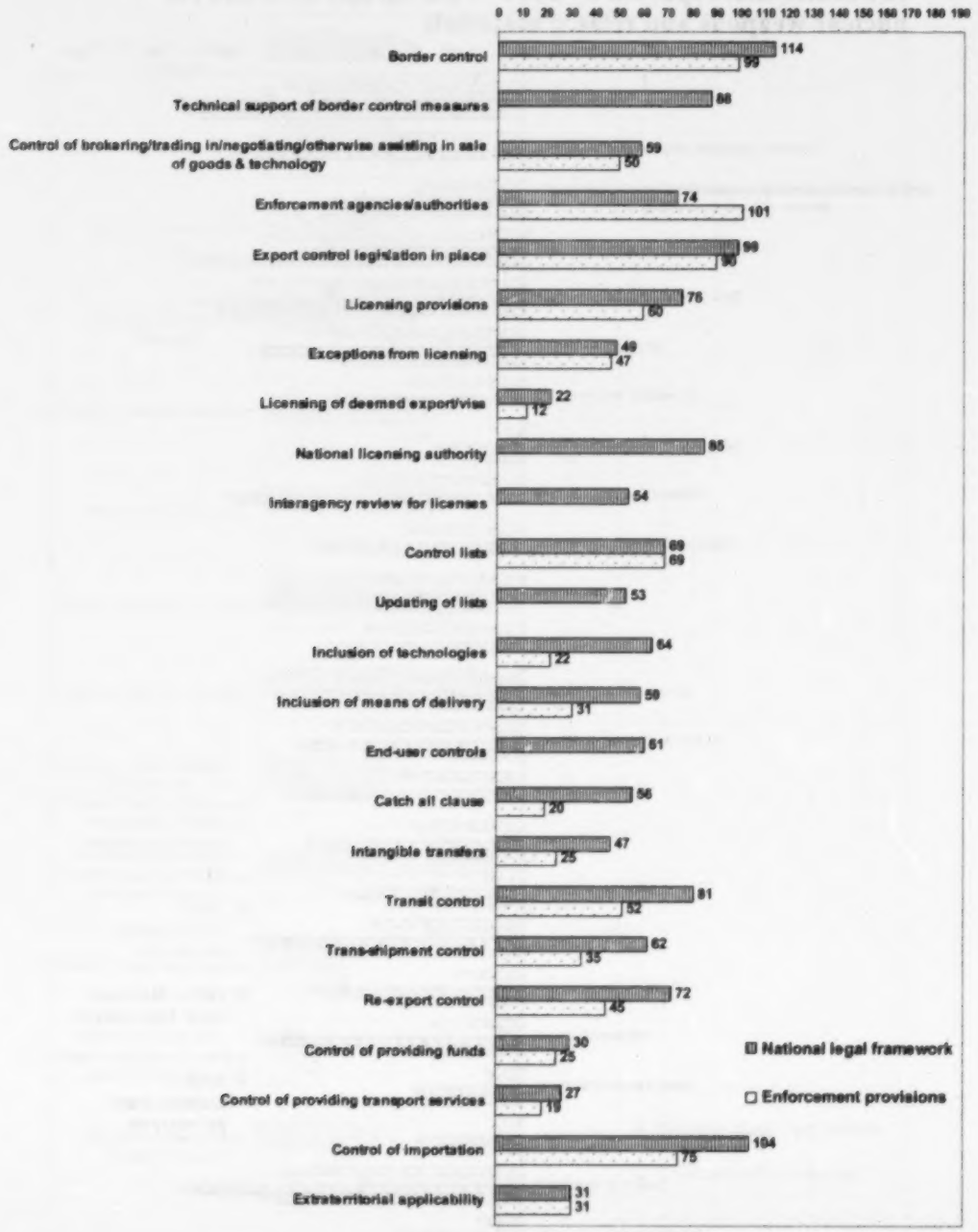
Annex XIV.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 3 (c) and (d) — nuclear weapons and related materials



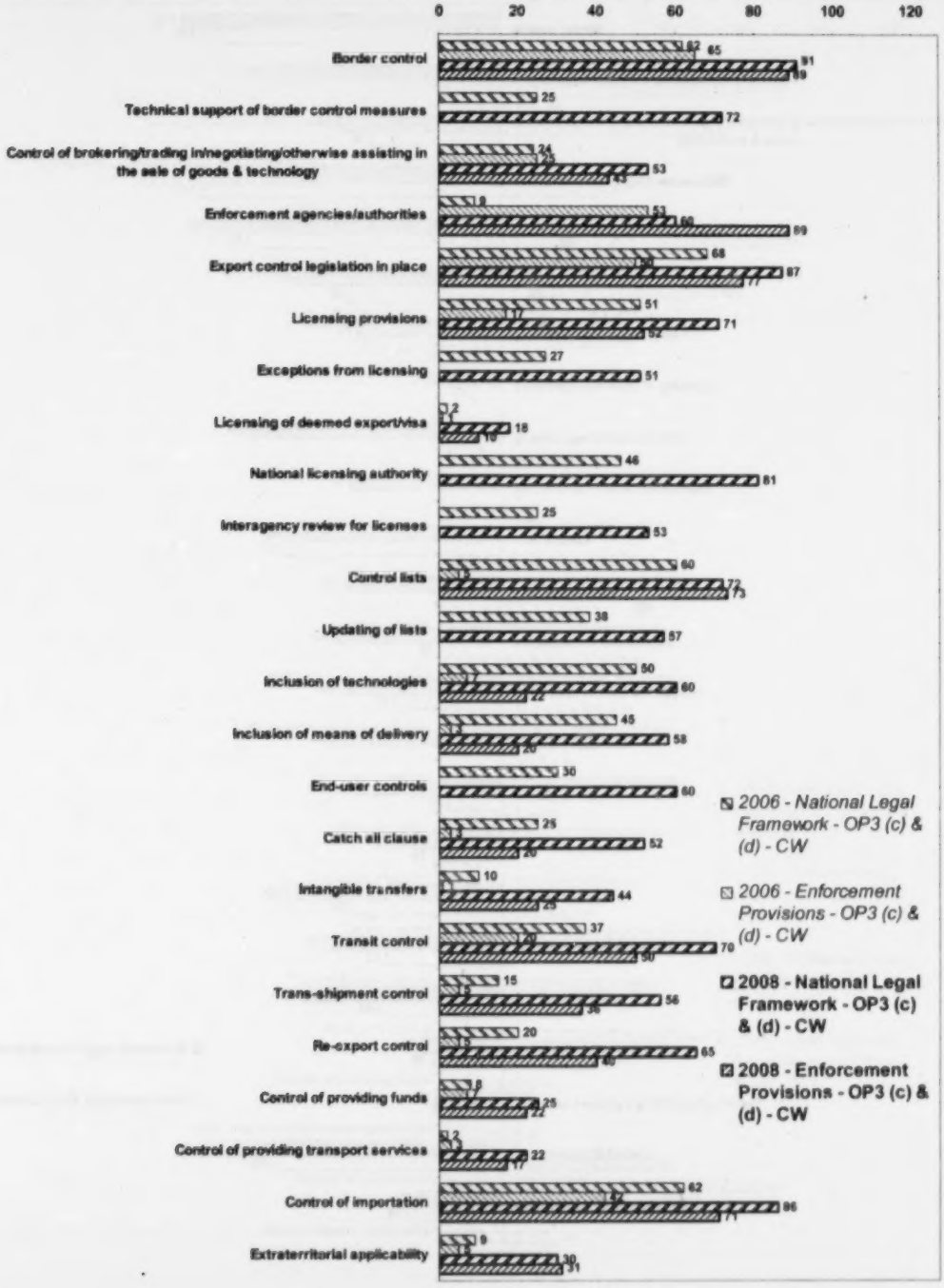
Annex XIV.B

Current assessment of implementation for 192 Member States — paragraph 3 (c) and (d) — nuclear weapons and related materials



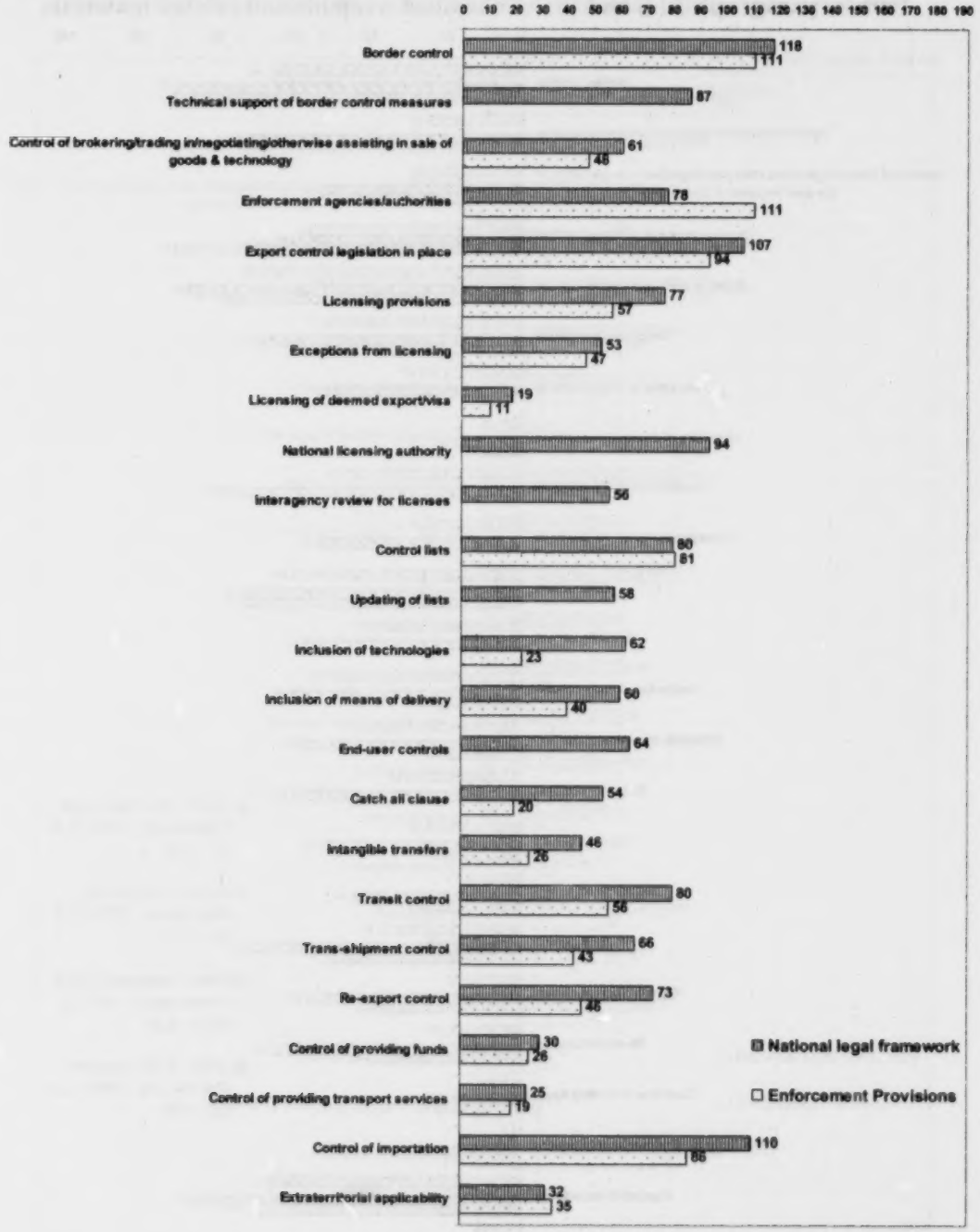
Annex XV.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 3 (c) and (d) — chemical weapons and related materials



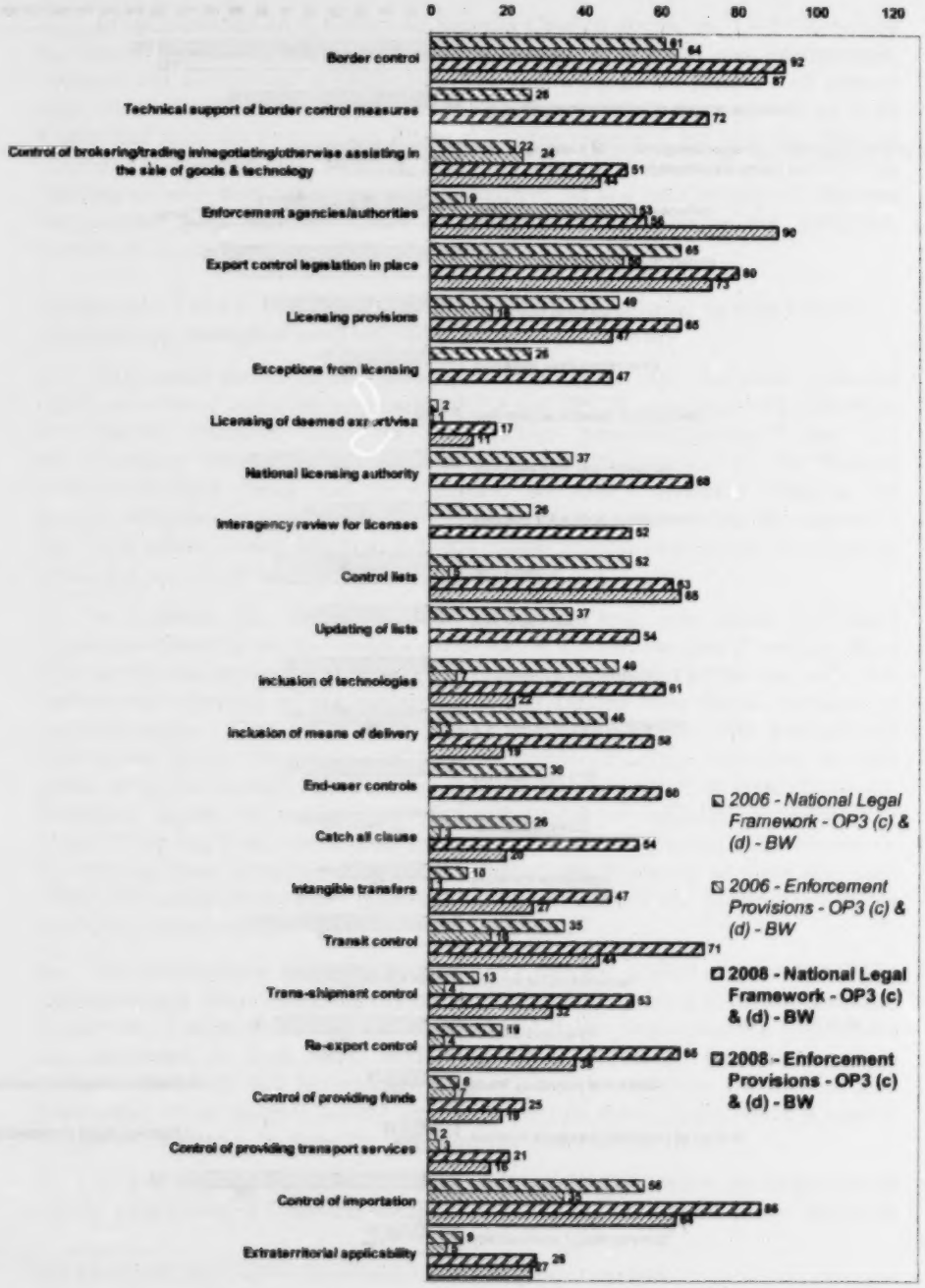
Annex XV.B

Current assessment of implementation for 192 Member States — paragraph 3 (c) and (d) — chemical weapons and related materials



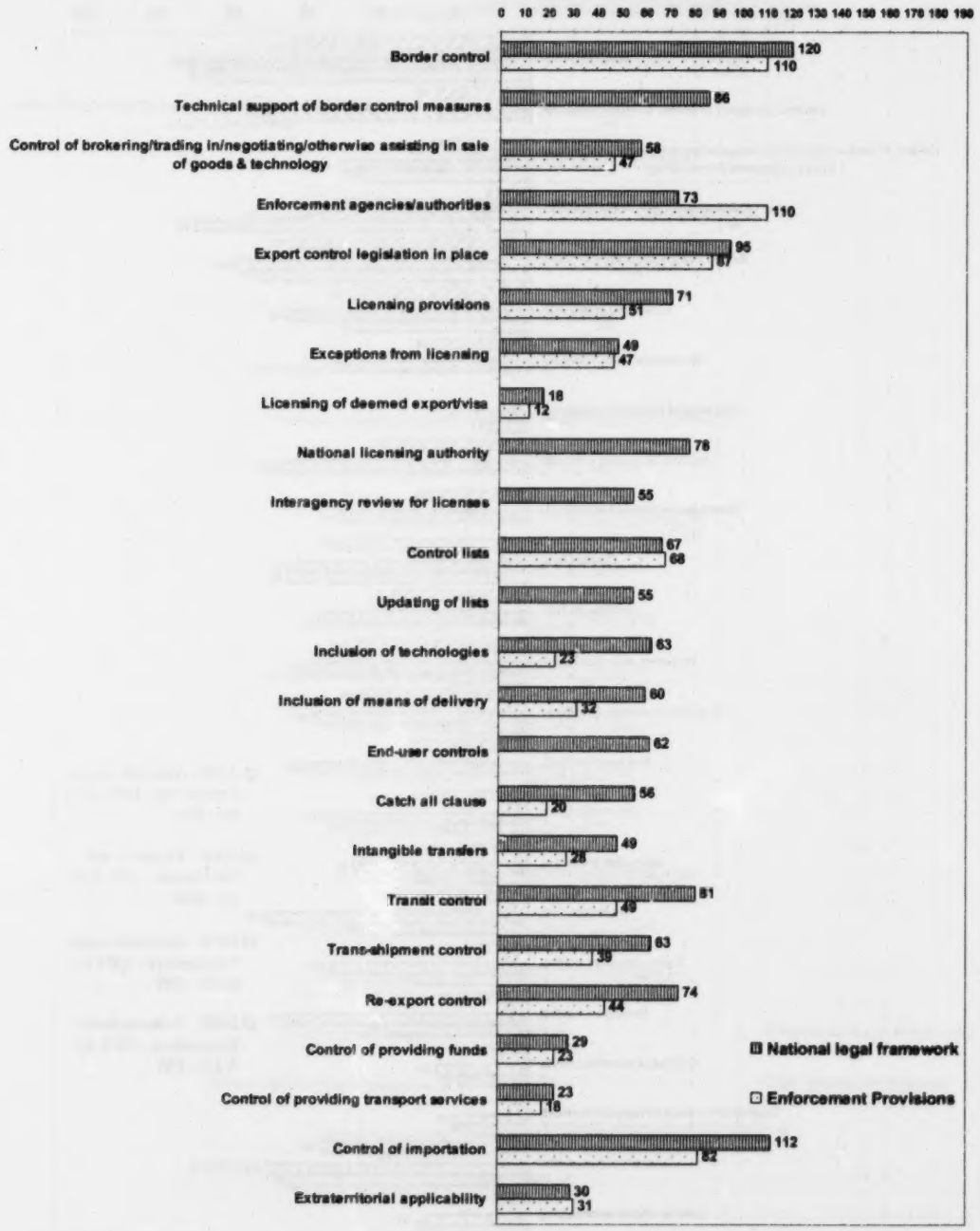
Annex XVI.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 3 (c) and (d) — biological weapons and related materials



Annex XVI.B

Current assessment of implementation for 192 Member States — paragraph 3 (c) and (d) — biological weapons and related materials



Annex XVII

Experience shared for the implementation of Security Council resolution 1540 (2004)

1. In its resolution 1673 (2006) the Security Council invited the 1540 Committee to explore experience-sharing and lessons learned with States and international, regional and subregional organizations. The following list of practices of interest responds to that invitation. As noted in the main part of the present report, the 1540 Committee does not endorse any of the following materials, but provides them as illustrative examples for Member States to consider. As such, the following information also does not comprise an exhaustive list and the Committee welcomes suggestions from Member States or intergovernmental bodies for additions, modifications or deletions to these examples.

Paragraphs 1 and 2: experience shared regarding prohibitions against nuclear, chemical and biological weapons and their means of delivery

2. Experience shared in this category includes model laws and other measures that have evolved under the auspices of IAEA and OPCW to implement prohibitions and similar measures found in the Nuclear Non-Proliferation Treaty and the Chemical Weapons Convention respectively. Prohibitions in the Nuclear Non-Proliferation Treaty and the Chemical Weapons Convention relate to the general obligation in paragraph 1 for States to refrain from providing any support to non-State actors in their efforts to obtain weapons of mass destruction, as well as to some, but not all, of the prohibitions in paragraph 2.

3. In addition, the United Nations Office on Drugs and Crime (UNODC) *Legislative Guide to the Universal Anti-Terrorism Conventions and Protocols* offers commentary and annotated models of legislation to implement all the anti-terrorism conventions.[a] Several of the anti-terrorism conventions have direct relevance to implementation of resolution 1540 (2004). For example, the 1997 International Convention for the Suppression of Terrorist Bombings defines explosive or other lethal devices to include "the release, dissemination or impact of toxic chemicals, biological agents or toxins or similar substances or radiation or radioactive material" by non-State actors, their accomplices, or any who assist them. Moreover, by defining these activities as terrorist offences, the financing of these acts falls within the ambit of the 1999 International Convention for the Suppression of the Financing of Terrorism.

4. The International Committee of the Red Cross has drafted a model law ("The Biological and Toxin Weapons Crimes Act") for States with a common law legal framework. Similarly, the International Criminal Police Organization (INTERPOL) has developed, in draft form, model legislation to prohibit bio-crimes and to promote bio-safety and bio-security, with text and annotations. INTERPOL also encourages its members to submit legislative texts on those issues, which it intends to post on its website to share the wide range of national experience.[b]

5. To help States implement the Chemical Weapons Convention, the Organization for the Prohibition of Chemical Weapons (OPCW) has produced a model decree to

[a] See www.unodc.org/unodc/en/terrorism/technical-assistance-tools.html.

[b] See www.interpol.int/Public/BioTerrorism/bioC/default.asp.

establish a national authority, model penal code provisions and a national legislation implementation kit that comes with text and section-by-section commentary.[c] Responding to suggestions from OPCW member States that were working with the United Nations Institute for Training and Research (UNITAR) on chemical and pesticide safety and environmental controls, OPCW and the Organization of Eastern Caribbean States (OECS) developed a model act and model regulations to integrate both the Chemical Weapons Convention and environmental dimensions.[d]

6. Lastly, the IAEA Office of Legal Affairs offers an online compendium of legal instruments on safeguards and non-proliferation, as well as the 2003 IAEA *Handbook on Nuclear Law*. The handbook includes model annotated legal texts relating to nuclear non-proliferation and the penalization of the illicit use or possession of nuclear materials by non-State actors.[e]

Paragraph 3 (a) and (b): experience shared regarding accounting, securing and physical protection of nuclear, chemical and biological weapons, their means of delivery and related materials

7. The practices in these areas involve industrial uses of specific weapons of mass destruction-related materials as defined in the footnote to the first preambular paragraph of resolution 1540 (2004). These practices differ considerably from the practices relating to prohibited activities noted above and vary according to the type of industry and the applicable legal instruments. Resolution 1540 (2004) specifically refers to legal instruments and guidelines governing the work of IAEA and OPCW regarding accounting, securing and physical protection of nuclear and chemical items. As paragraph 3 of resolution 1540 (2004), however, covers a much wider range of technical issues than paragraph 1 or 2, many more practices of interest exist for these activities.

8. The Economic Commission for Europe (ECE), for example, recently issued the fifteenth edition of its *Recommendations on the Transport of Dangerous Goods: Model Regulations*. Many of these recommendations cover dangerous goods of concern in the implementation of resolution 1540 (2004).[f] Similarly, ECE prompted the development of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), recently consolidated in document ECE/TRANS/185, Volumes I and II, and of the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN), which came into force in February 2008.[g] At the time of preparation of the present report, ECE had begun work with the Intergovernmental Organization for International

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[c] LAO 11-Oct-2005 "Model Decree on the establishment of a National Authority," LAO 12-Oct-2005 "Model Penal Code Provisions," and LAO Mar-2006 at www.opcw.org/html/db/legal/la_models.html.

[d] S/190/2000 23-May-2000 "An Integrated Approach to National Implementing Legislation: Model Act Developed by the Secretariat of the Organization of Eastern Caribbean States" (S/127/99), its associated document S/190/2000 "Annexes 1 and 2 23-May-2000 Annex 1: Pesticides and Toxic Chemicals Control Act (draft); Annex 2: Toxic Chemicals Control (Registration, Licensing and Permit) Regulations (draft)" and PC-IV/A/WP.10 28-Sep-1993 "Illustrative Model Legislation for the Incorporation of the Chemical Weapons Convention into Domestic Law."

[e] Available at http://ola.iaea.org/ola/what_we_do/handbook%20link.asp.

[f] See www.unece.org/trans/danger/publi/unrec/rev15/15files_e.html.

[g] See www.unece.org/trans/danger/publi/adr/adr_e.html.

Carriage by Rail (OTIF) to harmonize ADR and ADN with the OTIF Regulations Concerning the International Carriage of Dangerous Goods by Rail (RID).[h]

9. The International Maritime Organization (IMO) plays a particularly important role in establishing practices of interest to the secure transportation of weapons of mass destruction-related items, especially as the majority of international trade moves by sea. The Maritime Safety Committee of IMO, for example, developed and oversees the International Maritime Dangerous Goods (IMDG) Code. Application of the IMDG Code became mandatory under the Convention on the Safety of Life at Sea in 2004.[i] In 2006, the Maritime Safety Committee also issued its Revised Recommendations on the Safe Transport of Dangerous Cargoes and Related Activities in Port Areas to match its security provisions with amendments to the IMDG Code and the International Ship and Port Facility Security (ISPS) Code. Part A of the ISPC Code became mandatory in 2004 and many States noted their compliance with it in their submissions to the 1540 Committee. A new protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation will make the transportation of persons or cargo by sea to support illicit activities related to weapons of mass destruction an offence, around which IMO likely will need to develop new standards and practices.

10. Annex 18 to the Convention on International Civil Aviation covers the safe transport of dangerous goods by air and includes a requirement that such transport follow the Technical Instructions for the Safe Transport of Dangerous Goods by Air. The Technical Instructions incorporate a classification system for and list of dangerous goods and procedures for packaging, handling, inspection, notifications relating to such goods, as well as enforcement and other measures that reflect the recommendations of the Dangerous Goods Panel of the International Civil Aviation Organization (ICAO).[j] The International Air Transport Association (IATA) participates in the development of the ICAO Technical Instructions and has its own task force for training personnel on transporting dangerous goods.[k]

11. While many States have tabled papers on improving the standards for biological accountancy, security and physical protection in the context of the Biological and Toxin Weapons Convention process, traditionally most guidance and standards from international organizations were aimed at preventing the spread of animal plant and human diseases through international trade or preventing States from using such measures as barriers to legitimate trade, leaving other matters of human, animal, and plant health to national authorities. However, several key international organizations have begun to develop guidance on topics relevant to the implementation of paragraph 3 (a) and (b) of resolution 1540 (2004). Perhaps most importantly, the creation of the Implementation Support Unit for the Biological and Toxin Weapons Convention already has contributed to the identification of possible practices of interest by publishing citations for a vast number of laws, decrees and regulations on biological materials in dozens of countries, among its online tools.[l]

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[h] See www.otif.org/html/e/pres_infor_generales_e.html.

[i] See www.imo.org/Safety/mainframe.asp?topic_id=158.

[j] See www.icao.int/anb/FLS/DangerousGoods.

[k] See www.iata.org/workgroups/dgb.htm. IATA also has its own annual *Dangerous Goods Regulations Manual* and a *Dangerous Goods Regulations e-List*.

[l] See www.unog.ch/80256EE600585943/(httpPages)/855B57E1A5D7D60CC12573A6005334F3?OpenDocument.

12. The World Health Organization (WHO) Chemical and Biological Weapons Working Group has begun to implement resolution 16 of the Fifty-fifth World Health Assembly "on global public health response to natural occurrence, accidental release or deliberate use of biological and chemical agents or radionuclear material that affect health".[m] In 2004, for example, WHO issued guidance relating to the security of related materials against biological and chemical terrorism (particularly in annex 5, Precautions against the sabotage of drinking water, food, and other products in its public health response to biological and chemical weapons: WHO guidance).[n] It also released the third edition of its *Laboratory Bio-safety Manual*. Another WHO reference of note is *Preparedness for the Deliberate Use of Biological Agents*, especially chapter 2 on prevention.[o] Finally, WHO has issued a number of practices of interest for specific diseases associated with the threat of biological weapons, such as its *Guidelines for the Surveillance and Control of Anthrax in Humans and Animals* and its *Plague Manual: Epidemiology, Distribution, Surveillance and Control*, and continues to work on guidance regarding tularaemia, among others diseases of concern.[p]

13. The Food and Agriculture Organization of the United Nations (FAO) also has taken a broad view of the term "bio-security" to encompass many of the issues of accountancy and security related to implementation of resolution 1540 (2004), defining it as "the management of biological risks in a comprehensive manner to achieve food safety, protect animal and plant life and health, protect the environment and contribute to its sustainable use".[q] In 2005, FAO, in conjunction with WHO, the World Trade Organization, the World Organization for Animal Health and the Secretariat of the Convention on Biological Diversity, started hosting a website, namely, the *International Portal on Food Safety, Animal and Plant Health*,[r] to compile information on all the latest national and international standards, law and other topics related to protecting food supplies and animal and plant health.

14. The OPCW Technical Secretariat has designed a host of documents on implementing the Chemical Weapons Convention, such as its 2002 *Handbook on Declarations*. Virtually all of these documents contain practices of interest to States trying to implement resolution 1540 (2004), particularly those related to materials accountancy. OPCW also combines this material in its *Information Package No. 1 (2001)* to assist national authorities in implementing the Chemical Weapons Convention.[s] OPCW also works closely with the global chemical industry on safety

[m] WHA55.16 of 18 May 2002.

[n] See www.who.int/csr/delibepidemics/biochemguide/en/index.html.

[o] See www.who.int/csr/resources/publications/deliberate/WHO_CDS_CSR_EPH_2002_16_EN/en/ and www.who.int/foodsafety/publications/fs_management/terrorism/en/ respectively.

[p] See www.who.int/bookorders/anglais/detart1.jsp?sesslan=1&codlan=1&codcol=93&codcch=161.

[q] See www.fao.org/DOCREP/MEETING/006/Y8453E.HTM#P69_18797.

[r] See www.ipfsaph.org/En/default.jsp.

[s] Infopack 1 can be found at http://www.opcw.org/na_infopack/. Information package No. 2 is forthcoming.

and security issues, which extends to the Responsible Care® Initiative of the International Council of Chemical Associations.[t]

15. Some materials produced under the auspices of the Awareness and Preparedness for Emergencies on a Local Level (APELL) programme of the United Nations Environment Programme (UNEP) apply to the security of chemical facilities, which relates to the implementation of resolution 1540 (2004). Some of its publications have a direct relationship with the obligations of the resolution, such as *Storage of Hazardous Materials: A Technical Guide for Safe Warehousing of Hazardous Materials* (Technical Report Series No. 3). FAO also addresses some issues concerning chemicals, primarily pesticides, such as in its *International Code of Conduct on the Distribution and Use of Pesticides* (Revised version).

16. Resolution 1540 (2004) specifically mentions the Code of Conduct on the Safety and Security of Radioactive Sources. In addition, the principles and practices described in IAEA safeguards agreements, for which IAEA has model text, and the model additional protocol (INFCIRC/540), clearly contain practices relating to the implementation of resolution 1540 (2004), as do the IAEA *Regulations for the Safe Transport of Radioactive Material* (IAEA Safety Standards Series TS-R-1, 2005). Resolution 1540 (2004) also references the physical protection measures required under the Convention on the Physical Protection of Nuclear Material for use, storage and transport of nuclear items.[u] The United Nations Office on Drugs and Crime *International Law Series No. 2* conveniently bundles together all of the official documents on the Convention on the Physical Protection of Nuclear Material, including background materials for the many practices in that convention.[v]

17. In addition, States have promulgated a number of regional and bilateral cooperation agreements or guidelines for nuclear related materials. For example, Commission regulation (Euratom) No. 3227/76 (as amended most recently by Commission regulation (Euratom) No. 302/2005) implements the safeguards system established in the Euratom Treaty, which includes many practices of interest in nuclear accountancy and transfers between States.[w] Similarly, the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC) implements and enforces the Common System for Accounting and Control of Nuclear Materials, the set of safeguard procedures for all the nuclear materials in Argentina and Brazil. The Quadripartite Agreement among ABACC, IAEA and the two national nuclear authorities, along with ABACC bilateral agreements with IAEA, the European Atomic Energy Community (EURATOM), the Republic of Korea Institute of Nuclear Non-proliferation and Control, and the Organismo para la Proscripción de las Armas Nucleares en la América Latina y el Caribe (OPANAL)

[t] Implemented independently by chemistry councils in each of the 52 participating countries, each national chemical council must, among other requirements, produce codes, guidance notes and checklists to assist its member companies in adhering to the safety and security requirements of the programme, engage in information sharing on their programmes, and have procedures to verify member company compliance, all of which States may find of use in their efforts to implement resolution 1540 (2004). See www.responsiblecare.org/page.asp?p=6407&l=1.

[u] See *INFCIRC/225/Rev.4 (Corrected)*. The IAEA also conducts regional training programmes on physical protection.

[v] Although less relevant to the obligations under the resolution, the Committee on the Safety of Nuclear Installations of the Nuclear Energy Agency has developed a host of practices of interest on nuclear safety issues (see www.nea.fr/html/general/policypapers.html#safety).

[w] See http://europa.eu/scadplus/leg/en/s14005.htm.

and their associated documents provide useful examples of information-sharing and cooperation, and for accounting and control of nuclear materials.[x]

18. States have reported implementing resolution 1540 (2004) through other multilateral arrangements to heighten the scrutiny of activities that might support a ballistic missile programme for delivery of weapons of mass destruction, such as the Hague Code of Conduct against Ballistic Missile Proliferation, for which the United Nations General Assembly in 2004 registered the support of 161 States.

Paragraph 3 (c) and (d): experience shared regarding border and export controls for nuclear, chemical and biological weapons, their means of delivery and related materials

19. In 2005, the World Customs Organization (WCO) adopted its Framework of Standards to Secure and Facilitate Global Trade (the WCO SAFE Framework of Standards) and the associated Columbus Program to assist States in building the capacity to implement the SAFE Framework effectively.[y] The SAFE Framework encompasses more than 30 standards, plus detailed elements for implementation. The SAFE Framework depends on the effective functioning of networks among national, regional and international customs organizations, and partnerships between customs organizations and business. It builds on the Integrated Supply Chain Management Guidelines and other sources to enhance security of the supply change while simultaneously facilitating legitimate trade. WCO officials have indicated that they, in cooperation with IAEA, will produce a handbook on border control standards on anti-terrorism in the near future. Regional customs organizations, such as the Caribbean Customs Law Enforcement Council and the Oceania Customs Organization, focus more on day-to-day considerations of cooperation and information-sharing within their region, which also form the basis for practices of interest. Most customs and border control services also work regularly with national authorities to implement the International Standards for Phytosanitary Measures, under the International Plant Protection Convention, and similar measures for animal and human health, including the practice of quarantine.[z]

20. States have reported the use of national control lists for items relating to weapons of mass destruction and their means of delivery, as well as control lists established under multilateral arrangements or for the implementation of relevant Security Council resolutions, such as the lists contained in documents S/2006/814 and S/2006/815.

21. Several regional bodies have also promoted experience sharing related to export controls. The European Union, for example, has a community-wide regulatory regime for dual-use export controls embodied in Council regulation 1334/2000, as amended.[aa] In 2004, the Asia Pacific Economic Cooperation (APEC) forum developed its "APEC key elements for effective export control systems", and

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[x] See www.abacc.org/home.htm.

[y] See www.wcoomd.org/learning_homeaboutus_capacitybuilding.htm, www.wcoomd.org/home_wco_topics_epoverviewboxes_tools_and_instruments_epsafeframework.htm, and briefings of the 1540 Committee experts by representatives of WCO.

[z] See www.who.int/csr/ihr/en/.

[aa] See http://ec.europa.eu/trade/issues/sectoral/industry/dualuse/index_en.htm. At the time of writing, discussions continued on a major revision of the regulation to incorporate the results of the 2004 peer review exercise and other recommendations.

followed up this document with the "Report of the survey on current practices related to 'APEC key elements for effective export control systems'" in a 2006 meeting of its Counter-Terrorism Task Force.[bb] In 2007, members of the Eurasian Economic Community agreed on a mechanism to harmonize their export control systems and implement the Agreement on a Common Order of Export Control. In addition, member States of the Organization for Security and Cooperation in Europe (OSCE) have started to prepare a best practices guide for implementing resolution 1540 (2004).

22. States have reported implementing aspects of resolution 1540 (2004) through measures adopted in the framework of the Non-Proliferation Treaty Exporters Committee/Zangger Committee (such as its multilateral nuclear supply principles and the trigger list of nuclear items of proliferation concern) and the Nuclear Suppliers Group (such as the guidelines for nuclear transfers and the guidelines for transfers of nuclear-related dual-use equipment, materials, software and related technology).

23. The Chemical Weapons Convention obliges parties to control trade in chemicals listed in its schedules 1, 2 and 3 and compilation of discrete organic chemicals.[cc]

[bb] See www.apec.org/apec/about_apec/history.html.

[cc] See www.opcw.org.

Annex XVIII

List of outreach activities as at 1 July 2008

Seminars, workshops and conferences in which the Chairman, members or experts of the Committee participated to provide information on resolution 1540 (2004)

Title	*Organizer/sponsor*	*Date*	*Location*	*Participation*
Donors' Seminar on the Implementation of Security Council Resolution 1540 (2004)	Stockholm International Peace Research Institute	6-7 June 2006	Geneva	1540 Committee expert
Seminar on Implementing Security Council Resolution 1540 (2004) in Asia and the Pacific	China, Norway, European Union, Department for Disarmament Affairs	12-13 July 2006	Beijing	1540 Committee Chairman and experts
"Alarming nuclear proliferation crisis and regional and international peace and security", 18th United Nations Seminar on Disarmament Issues in Yokohama	Japan and the Department for Disarmament Affairs	21-23 August 2006	Yokohama, Japan	1540 Committee Chairman
Seminar on Implementing Security Council Resolution 1540 (2004) in Central Asia and the Caucasus	Kazakhstan, Norway, Centre for Non-proliferation Studies of the Monterey Institute of International Studies and MacArthur Foundation	8-9 October 2006	Almaty, Kazakhstan	1540 Committee Chairman and expert
Workshop on the Universality of the Chemical Weapons Convention	Organization for the Prohibition of Chemical Weapons	25-27 October 2006	Rome	1540 Committee expert
Workshop on the Implementation of Resolution 1540 (2004)	Organization for Security and Cooperation in Europe (OSCE)	8 November 2006	Vienna	1540 Committee Chairman and expert
Seminar on Implementing Security Council Resolution 1540 (2004) in the African Region	Ghana, Norway, European Union, Department for Disarmament Affairs	9-10 November 2006	Accra	1540 Committee Chairman and experts
"The next one hundred project": Workshop on Strengthening the International Non-proliferation Regime	Finland and Henry L. Stimson Center	15 November 2006	Washington, D.C.	1540 Committee member and expert
Seminar on Implementing Security Council Resolution 1540 (2004) in Latin America and the Caribbean	Peru, Norway, European Union, Department for Disarmament Affairs	27-28 November 2006	Lima	1540 Committee Chairman and experts

Title	*Organizer/sponsor*	*Date*	*Location*	*Participation*
Special Meeting on Combating the Proliferation of Nuclear, Chemical and Biological Weapons, their Delivery Systems and Related Materials	Organization of American States (OAS)	11-12 December 2006	Washington, D.C.	1540 Committee expert
Seminar to Support Implementation of Resolution 1540 (2004)	Finland, Henry L. Stimson Center and Stanley Foundation	17 January 2007	New York	1540 Committee members and experts
Workshop on Implementation of Security Council resolution 1540 (2004)	United States, Canada, Singapore and ASEAN Regional Forum	12-15 February 2007	San Francisco, United States	1540 Committee Vice-Chairman and expert
Eighth International Export Control Conference	Romania and the United States	6-8 March 2007	Bucharest	1540 Committee Chairman and expert
"Exploring better ways to cope with contemporary proliferation threats: brokering activities"		22-23 March 2007	Seoul	1540 Committee expert
Workshop on National Non-Proliferation Controls	Chile, Germany and Norway	27 March 2007	New York	1540 Committee members and experts
Regional Workshop on the Suppression of Acts of Nuclear Terrorism	Uzbekistan, United Nations Office on Drugs and Crime Terrorism Prevention Branch and OSCE	12-13 April 2007	Tashkent	1540 Committee expert
Seminar on Weapons of Mass Destruction Proliferation Issues	North Atlantic Alliance	18-19 April 2007	Vilnius	1540 Committee Chairman
"Weapons of Mass Destruction proliferation finance": intersessional meeting of the Working Group on Terrorist Financing and Money Laundering of the Financial Action Task Force	Financial Action Task Force and Organization for Economic Cooperation and Development (OECD)	3-4 May 2007	Ottawa	1540 Committee expert
Symposium on Building International Partnership to Combat Weapons of Mass Destruction	National Defense University Center for the Study of Weapons of Mass Destruction	16-17 May 2007	Washington, D.C.	1540 Committee Chairman
Symposium on Implementation of the Global Counter-Terrorism Strategy	Austria and UNODC Terrorism Prevention Branch	17-18 May 2007	Vienna	1540 Committee experts

Title	*Organizer/sponsor*	*Date*	*Location*	*Participation*
OPCW Open-ended Working Group on Terrorism	Organization for the Prohibition of Chemical Weapons (OPCW)	24 May 2007	The Hague	1540 Committee Chairman and experts
Workshop on Implementation of Resolution 1540 (2004) in the Caribbean Region	Jamaica, Canada, Norway, European Union and Office for Disarmament Affairs	28-30 May 2007	Kingston	1540 Committee Chairman and experts
Seminar on Implementation of Resolution 1540 (2004) in the ASEAN Region	Indonesia and France	29-30 May 2007	Jakarta	1540 Committee member
Workshop on Universality and Implementation of the Chemical Weapons Convention	OPCW	18-19 June 2007	Algiers	1540 Committee expert
Panel on Implementing International Measures to Combat Nuclear Terrorism	Carnegie Endowment for International Peace	26 June 2007	Washington, D.C.	1540 Committee Chairman
Meeting on Terrorist Financing and Money Laundering	Financial Action Task Force (FATF)	25-26 June 2007	Paris	1540 Committee expert
Subregional Consultation on Implementation of the Legal Regime against Terrorism and Technical Assistance, and related workshops	UNODC Terrorism Prevention Branch and Pacific Islands Forum Secretariat	25-29 June 2007	Nadi, Fiji	1540 Committee expert
Meeting with representatives of potential assistance providers: States and intergovernmental and non-governmental organizations	UNODA	11-12 July 2007	New York	1540 Committee members and experts
Overview of United States Government assistance programmes related to implementation of resolution 1540 (2004)	United States	15 August 2007	Washington, D.C.	1540 Committee experts
Workshop on Implementing Security Council Resolution 1540 (2004) among Arab States	Jordan, Norway, United States, European Union and the Office for Disarmament Affairs	4-5 September 2007	Amman	1540 Committee Chairman and experts
Meeting on Combating Proliferation Financing, FATF Working Group on Typologies and Working Group on Terrorist Financing and Money Laundering	FATF and OECD	18-19 September 2007	Rome	1540 Committee expert

Title	*Organizer/sponsor*	*Date*	*Location*	*Participation*
Subregional Workshop on Preparation of Responses to the Security Council Committees dealing with Counter-terrorism (West/Central Africa)	UNODC Terrorism Prevention Branch with three expert groups (Counter-Terrorism Committee Executive Directorate (CTED), 1267 Monitoring Team and 1540)	25-27 September 2007	Dakar	1540 Committee expert
Seminar on Implementing Security Council Resolution 1540 in the Kyrgyz Republic	Kyrgyzstan, Norway, Monterey Center for Non-proliferation Studies and Carnegie Corporation of New York	16-17 October 2007	Bishkek	1540 Committee expert
"Prevention of terrorist movement and effective border security", 5th Special Meeting of the Counter-Terrorism Committee with International, Regional and Subregional Organizations	Counter-Terrorism Committee	29-31 October 2007	Nairobi	1540 Committee expert
Briefing to the Senior Political Committee of NATO	NATO	30 October 2007	Brussels	1540 Committee Chairman
Briefing to the EU Committee on Non-Proliferation	Council of the European Union	31 October 2007	Brussels	1540 Chairman
International Conference on Illicit Nuclear Trafficking	United Kingdom International Atomic Energy Agency, INTERPOL, EUROPOL and World Customs Organization	19-22 November 2007	Edinburgh, United Kingdom	1540 Committee Chairman
Conference of the Inter-Parliamentary Union	United Nations	20-21 November 2007	New York	1540 Committee Chairman
Workshop on Implementing Resolution 1540 (2004) in the African Region (Southern Africa)	Botswana, Andorra, Norway, United States and the Office for Disarmament Affairs	27-28 November 2007	Gaborone	1540 Committee Vice-Chairman and experts
Subregional Workshop on Preparation of Responses to the Security Council Committees dealing with Counter-terrorism (Southern Africa)	UNODC Terrorism Prevention Branch with three expert groups (CTED, 1267 Monitoring Team and 1540)	28-29 November 2007	Gaborone	1540 Committee expert
Meeting of FATF Working Group on Typologies: Workshop on Proliferation Financing		28-30 November 2007	Bangkok	1540 Committee expert

Title	*Organizer/sponsor*	*Date*	*Location*	*Participation*
Expert Group Meeting on Implementation of the Penal Provisions in the Universal Legal Framework against Nuclear Terrorism	UNODC Terrorism Prevention Branch	6-7 December 2007	Vienna	1540 Committee expert
Seminar on CARICOM-United States Partnership to Combat Illicit Trafficking in Arms	CARICOM and United States Department of State	11-12 December 2007	Nassau	1540 Committee expert
Legal Workshop on the Criminal Law Aspects of Countering Nuclear, Chemical and Biological Terrorism in the Light of Relevant Universal Instruments — for member States of the Commonwealth of Independent States (CIS)	Executive Secretariat of CIS and UNODC Terrorism Prevention Branch	16-17 January 2008	Minsk	1540 Committee member and expert
Responding to Resolution 1540 (2004) with Development and Capacity-building Assistance in the Caribbean	Canada, Stanley Foundation and Henry L. Stimson Center	28-29 February 2008	Santo Domingo	1540 Committee expert
Technical assistance mission to review national legislation to implement United Nations anti-terrorism instruments	UNODC Terrorism Prevention Branch	10-13 March 2008	Guatemala City	1540 Committee expert
Workshop on United Nations Engagement with Regional, Subregional and Functional Bodies and Civil Society in Implementing the United Nations Global Counter-Terrorism Strategy	Slovakia, Costa Rica, Japan and Switzerland, with the support of the Center on Global Counterterrorism Cooperation	17-18 March 2008	Bratislava	1540 Committee expert
Regional Conference on Nuclear Terrorism	Qatar and UNODC Terrorism Prevention Branch	29-30 April 2008	Doha	1540 Committee expert
OAS Workshop on Implementation of Resolution 1540 (2004)	Argentina, United States and OAS	13-14 May 2008	Buenos Aires	1540 Committee member and expert
7th meeting of Study Group on Countering Proliferation of weapons of mass destruction in Asia and the Pacific	Viet Nam and Council for Security Cooperation in the Asia Pacific	25-27 May 2008	Ho Chi Minh City, Viet Nam	1540 Committee expert

Title	*Organizer/sponsor*	*Date*	*Location*	*Participation*
Ministerial Conference on International Cooperation against Terrorism and Organized Crime	Panama and UNODC Terrorism Prevention Branch	26-29 May 2008	Panama City	1540 Committee expert
Pacific Islands Forum Consultation Workshop on Implementation of the Legal Regime against Terrorism, and Pacific Islands Forum Working Group on Counter-terrorism	Pacific Islands Forum Secretariat, New Zealand and UNODC Terrorism Prevention Branch	2-4 June 2008	Suva	1540 Committee expert
United Nations Security Council Resolution 1540 (2004) — A Path for Further Implementation	Romania and Croatia	5-6 June 2008	Rakitie, Croatia	1540 Committee expert
"Global perspective of the proliferation landscape: an assessment of tools and policy problems"	Defense Threat Reduction Agency, Monterey Naval School	10-12 June 2008	Monterey, California, United States	1540 Committee expert
FATF Plenary Meeting	FATF	16-20 June 2008	London	1540 Committee expert

United Nations S/2008/494

Security Council

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28 July 2008

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Letter dated 28 July 2008 from the Permanent Representative of Thailand to the United Nations addressed to the President of the Security Council

With reference to my letters to you dated 22 July 2008 (S/2008/478) and 25 July 2008 (S/2008/490) regarding Thailand-Cambodia relations, I wish to take this opportunity to inform you about the latest progress in the bilateral consultative process between the two countries.

1. Pursuant to the bilateral discussions that took place between Thailand and Cambodia under the framework of the General Border Committee in Sa Kaeo Province of Thailand on 21 July 2008, and the telephone conversation between the Prime Minister of Thailand and the Prime Minister of Cambodia on 24 July 2008, the Ministers for Foreign Affairs of Thailand and Cambodia met in Siem Reap Province of Cambodia on 28 July 2008. The two Ministers had a cordial and frank discussion on issues of common concern in the spirit of good-neighbourliness and the spirit of ASEAN solidarity. At the end of the meeting, both sides agreed to recommend the following to their respective Governments:

- Both countries should exercise the utmost restraint so that the current problem will be settled through peaceful means, using existing bilateral mechanisms, including the Foreign Ministers' meeting and the Thailand-Cambodia Joint Commission on Demarcation for Land Boundary which was set up by the 2000 Memorandum of Understanding on the Survey and Demarcation of Land Boundary.
- Both sides agreed to undertake the following provisional arrangement pending survey and demarcation by the Joint Boundary Commission:
    (1) De-mining of the area to be surveyed and demarcated by the Joint Boundary Commission in a concerted manner;
    (2) Setting up of a Temporary Coordinating Task Force comprising the relevant agencies from both sides to address problems related to the area, including the Pagoda;
    (3) Redeploying both sides' respective troops out of the "Keo Sikha Kiri Svara" Pagoda, the area surrounding the Pagoda, and the Temple of Preah Vihear.

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- This arrangement shall be without prejudice to the rights of both sides regarding the survey and demarcation within the framework of the Joint Boundary Commission and their legal positions.

- Both sides agreed to discuss other matters not yet agreed upon during this meeting at the next Foreign Ministers' meeting.

2. The outcome of the said Foreign Ministers' meeting firmly underlines the common will and determination of both Thailand and Cambodia, neighbours for life and members of the ASEAN family, to move ahead within the framework of the bilateral consultative process with a view to arriving at a mutually satisfactory conclusion for the benefit of our two countries and peoples.

I have the honour to request that the present letter be circulated as a document of the Security Council.

(*Signed*) Don **Pramudwinai**
Ambassador
Permanent Representative of the Kingdom of Thailand
to the United Nations

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Security Council

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Report of the Secretary-General pursuant to paragraph 6 of resolution 1770 (2007)

I. Introduction

1. In paragraph 6 of its resolution 1770 (2007), the Security Council requested the Secretary-General to report to the Council on a quarterly basis on the fulfilment of the responsibilities of the United Nations Assistance Mission for Iraq (UNAMI). The present report is the fourth submitted pursuant to that resolution.

2. The report provides an update on United Nations activities in Iraq since the previous report (S/2008/266), dated 22 April 2008, with a continuing focus on the implementation of resolution 1770 (2007). It presents a summary of key political developments during the period under review, as well as regional and international events concerning Iraq. The report provides an update on the activities of my Special Representative for Iraq and on operational and security matters.

II. Summary of key political and security developments in Iraq

3. A combination of political and military efforts has contributed to continued improvements in security across Iraq during the past three months. Although civilian casualties as a result of violence remain unacceptably high, both the frequency of violent incidents and casualty figures have continued to decline and there has been increased cooperation from local communities in preventing acts of violence. The Iraqi Security Forces appear to be gaining in confidence and capability, and the number of units capable of taking the lead in operations is increasing. Following an operation in Basra, the Iraqi Security Forces commenced several major operations concurrently: Operation Peace began in May against renegade groups in the Sadr City area of Baghdad; Operation Promise of Peace started in June in the southern town of Amarah in Missan Province; and Operation Lion's Roar was launched against insurgent groups in Mosul and other parts of Ninawa Province. The ceasefire declared by Moqtada al-Sadr on 11 May for Sadr City continues to be in effect, and State authority and basic services are being restored in coordination with Sadr movement leaders.

4. These operations appear to be having a positive effect outside of the security arena as well. On 19 July, the largest Sunni bloc in the Iraqi Parliament, Tawafuq, ended a year-long boycott of the Government and officially rejoined Prime Minister Nuri Al-Maliki's Cabinet when Parliament approved six Sunni officials. Four

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members of the Shiite Unified Iraqi Alliance also joined the Cabinet in the place of Sadrist and Iraqi National List members of Parliament, who initiated a boycott in April and August 2007 respectively. On 29 April, more than 30 representatives from the main political and ethnic groups of Iraq held a reconciliation meeting in Helsinki under the auspices of a Finnish non-governmental organization and formulated principles for joint national action, as well as mechanisms for implementation. At a second meeting, held in Baghdad on 5 July, a set of principles agreed by the Iraqi leaders was announced.

5. Former Prime Minister Ibrahim Jafari established his own political party separate from Prime Minister Al-Maliki's Dawa Party at the end of May and was subsequently excluded from the Dawa Party. Since the departure of the Fadhilla Party and Sadrists from the United Iraqi Alliance in 2007, the status of the coalition in the upcoming elections remains uncertain. The Islamic Supreme Council of Iraq announced that it might run independently from the coalition in some provinces during the upcoming provincial elections. A fourth faction of the Sunni Tawafuq bloc was established in early May. A number of political groups have arisen from the tribal-based Awakening movement. The Sons of Al-Rafidayn party was also launched on 22 June by former Deputy Prime Minister Salam al-Zobai'e. These new groups have started to compete with existing Sunni parties in the political process. On 15 June, the Sadr movement declared it would not directly participate in the elections but would lend support to independent candidates.

6. The election law, which is vital for the preparation of provincial elections, faced a number of delays as a result of disagreements over the election system, the inclusion of women on the ballot and a proposed amendment to potentially delay provincial elections in Kirkuk pending further discussions on the status of Kirkuk. At the same time, however, on 20 May Turkoman representatives ended their 18-month boycott of the Kirkuk Provincial Council, and talks regarding power-sharing in other Kirkuk administration sectors are ongoing. The inclusion of a provision to ban political parties that have a militia resulted in extensive debate and contributed to early delays. Separately, a package of laws on hydrocarbons remained stalled between the Government of Iraq and the Kurdistan regional government. However on 29 June a committee comprising central and regional government representatives was formed to resolve outstanding differences on the hydrocarbon law.

7. UNAMI has been working to establish a process for addressing disputed internal boundaries. On 5 June, UNAMI presented to the Government of Iraq its initial analysis on the first four of several disputed areas in northern Iraq. In keeping with the Mission's advisory and assistance mandate under resolution 1770 (2007), the initial analysis examined a variety of considerations, including the administrative history of the district, changes since 2003, information obtained during visits to the districts and many additional factors. The findings pointed to a series of specific confidence-building measures that could contribute to the balanced administration of the districts under dispute. Working with the general agreement of the Presidency Council, the Prime Minister of Iraq and the Prime Minister of the Kurdistan regional government, UNAMI continued to underscore that the Government of Iraq alone has the sovereign responsibility to decide on the disputed areas.

8. Reactions to the Mission's first analysis reflected the sensitive nature of the issue. While some members of the Sunni Arab and Turkmen communities maintained a sceptical attitude towards addressing disputed territories at this time, Shiite political parties have chosen not to comment publicly to date. The Kurdish National Assembly and the Kurdistan regional government presidency issued official statements with reservations to the Mission's findings, and a Kurdistan regional government committee was formed to liaise with UNAMI on the issue. UNAMI has recently established a presence in Kirkuk and will continue to engage with all communities there. The Mission is committed to promoting a political and constitutional process that would be acceptable to the major stakeholders to resolve disputed internal boundaries, including the status of Kirkuk.

Regional developments pertaining to Iraq

9. During the reporting period Bahrain, Jordan, Kuwait and the United Arab Emirates announced the resumption of full diplomatic representation in Iraq. In June the Organization of the Islamic Conference deployed a senior representative to Baghdad, pending the formal opening of its offices in August. At its 19 April meeting in Bahrain, the Gulf Cooperation Council accepted Iraq as a regular participant in ministerial meetings and resolved to regularly convene with a new configuration that also includes Egypt, Jordan and the United States of America. I look forward to the Iraqi Government and their counterparts in the region building forward-looking relationships that form the basis for addressing mutual interests.

10. At the third expanded Ministerial Conference of the Neighbouring Countries of Iraq, held in Kuwait on 22 April, support for the ad hoc support mechanism for regional dialogue increased and an agreement in principle was obtained to convene the next ministerial meeting in Baghdad. The high-level International Compact with Iraq Annual Review Conference, held in Stockholm on 29 May, also reflected engagement of the international community in favour of the reconstruction and development of Iraq and served to strengthen its relations with neighbouring countries. Subsequently, on 6 July, the United Arab Emirates announced that it would forgive Iraqi debt, which is an important and welcome contribution to the Compact process.

11. Turkish Prime Minister Recep Erdogan visited Baghdad on 10 July, the first visit by a Turkish Prime Minister in 18 years. During the visit, a border security pact was signed and steps to facilitate high-level contacts between the two countries were agreed upon. That visit was preceded by a trip by Iraqi President Jalal Talabani to Ankara and an official high-level meeting between the Turkish envoy to Iraq and Kurdistan regional government Prime Minister Nechirvan Barzani on 2 May in Baghdad. Prime Minister Al-Maliki visited Tehran from 7 to 9 June. On 12 and 13 June, the Prime Minister visited Jordan and expressed his interest in strengthening bilateral relations in a number of key areas. From 6 to 8 July, he visited the United Arab Emirates and discussed business incentives and investment opportunities in Iraq.

III. Activities of the United Nations Assistance Mission for Iraq

Political activities

12. During the reporting period, the Mission's work on disputed internal boundaries was an important part of my Special Representative's activities and the political activities of the Mission. In April and May, he undertook extensive outreach with several senior Iraqi interlocutors and international partners to advance discussions on the issue of disputed internal boundaries. The discussions intensified in early June prior to the presentation of the Mission's analysis to the Presidency Council and the Prime Ministers of Iraq and the Kurdistan regional government on 5 June. The Special Representative met with President Talabani, Vice-Presidents Adel Abdel Mahdi and Tariq al-Hashemi, several members of Parliament, the leaders of the Sadrist and Tawafuq Sunni political blocs, Arab, independent and other provincial representatives from Kirkuk, including members of the article 140 Committee, a delegation from the Kurdistan regional government assembly and the Kurdistan regional government Minister for Extraregional Affairs. My Special Representative also met with the Turkish Special Envoy for Iraq, Murat Ozcelik, as well as the Ambassadors to Iraq of the United States, the European Union and the Islamic Republic of Iran in Baghdad. The UNAMI political team prepared and complemented outreach of the Special Representative on disputed internal boundaries through a series of field visits to the disputed districts and a wide range of meetings.

13. My Special Representative continued outreach to prepare for the provincial elections and worked to promote progress on the conclusion of the electoral law by holding meetings with the Speaker of the Council of Representatives, Mahmoud al-Mashhadani, Deputy Speaker Khaled al-Attiya, Independent High Electoral Commission Chief Electoral Officer Qassem Hassen Sajet and Acting Chairman of the Commission Amel Anwar Aref. The issue of elections was also addressed with other senior Iraqi interlocutors, including Prime Minister Al-Maliki.

14. On the regional front, in addition to accompanying the Under-Secretary-General for Political Affairs to the expanded Ministerial Conference of the Neighbouring Countries of Iraq, my Special Representative held a number of bilateral meetings in Amman, Baghdad and Kuwait to discuss issues related to further stabilization and development in Iraq. The meetings included the Ambassador of the Islamic Republic of Iran to Iraq, the Foreign Minister of Jordan and the Turkish special envoy for Iraq. Additional focus included the preparations for and participation in the first Annual Review Conference in Stockholm, which I attended and co-chaired with Prime Minister Al-Maliki. In preparation for the conference, my Special Adviser on the International Compact with Iraq and Other Political Issues and my Special Representative attended joint high-level meetings in Baghdad. From 18 to 20 June the Special Representative, accompanied by the Deputy Special Representative for Humanitarian Affairs and members of the United Nations country team, visited Abu Dhabi to participate in the United States-sponsored Friends of Iraq conference on partnerships for economic reform.

15. My Special Representative hosted a number of high-level visitors to the Mission, including the Under-Secretary-General for Political Affairs on his first visit to Baghdad, from 19 to 21 April, my Special Representative for Children and Armed Conflict and the Assistant Secretary-General for Field Support. On 21 May, my

Special Representative opened the first concert of the Baghdad Symphony Orchestra held since 2003. The orchestra played with a foreign conductor, and the initiative was designed to promote normalization and reconciliation in the country.

16. Additional activities included my Special Representative's attendance at the joint United Nations Office for Project Services (UNOPS)/UNAMI donor conference in Copenhagen on the reintegration of former combatants along with the Director-General of the Disarmament, Demobilization and Reintegration Commission from the Prime Minister's Office and the Acting Deputy Minister for Reconciliation, as well as dialogue with Government officials on the issue of an Iraqi national policy on refugees and returnees.

17. The deployment of national governorate liaison officers to Baghdad, Hillah, Najaf, Karbala, Ninawa, Qadisiyah, Muthanna, Dhi Qar, Salahaddin and Wassit governorates has contributed to the Mission's knowledge of those areas and multidimensional issues related to its mandate at the governorate level. Through further training initiatives, UNAMI plans to scale up this programme for 15 governorates of Iraq while continuing coverage of the three northern governorates in the Kurdistan regional government through the UNAMI regional office in Arbil.

Support for regional dialogue

18. The Mission worked with the Ministry for Foreign Affairs to develop a workplan for the next cycle of working group meetings leading up to a ministerial conference expected to take place in Baghdad later in 2008. The Ministry's dedicated unit for the ad hoc support mechanism will play a pivotal role in preparing those events. The Mission continued to work closely with key counterparts in the Ministry to build capacity and has finalized arrangements for the deployment of an expert consultant on border security and a liaison officer to assist in the preparation of two important upcoming working-level meetings on security and border control. In the light of the upgrading of the support unit, the Ministry has requested specialized training for more senior personnel. UNAMI is working with the United Nations Development Programme (UNDP) to provide appropriate training packages through the United Nations Institute for Training and Research and longer-term cooperation modalities between the Ministry's Diplomatic Institute and other external partners.

19. Together with the Deputy Special Representative for Humanitarian Affairs, the Iraq Office of the Office for the Coordination of Humanitarian Affairs recruited an officer for regional humanitarian coordination. In addition to working to implement the April 2008 decision by the Executive Committee for Humanitarian Affairs to launch a consolidated appeal for Iraq, a regional approach has been agreed upon aimed at: (a) establishing an informal information network for Office for the Coordination of Humanitarian Affairs regional coordinators in the Middle East covering key humanitarian, developmental and political issues arising from inside Iraq as well as from neighbouring countries affected by Iraq; and (b) providing a link for inputs and joint initiatives for the three working groups (refugees, energy and border security) established under the Iraq neighbours' dialogue.

Electoral assistance activities

20. UNAMI continues to work with the Independent High Electoral Commission in preparing to conduct election activities that will be seen as credible and that will be accepted by the Iraqi people. Iraq began its voter registration update as scheduled on 15 July with the striking achievement of opening all but 1 of the 564 voter registration centres on the first day. The voter registration update will run for 30 days and will give approximately 15 million eligible Iraqis the opportunity to verify their details and add new eligible voters to the provisional voters' list. The list will be finalized pending the Commission's rulings on complaints. The voter registration update will be followed by governorate council elections anticipated for later in 2008 in all of Iraq except the three northern governorates that form the Kurdistan regional government.

21. UNAMI has continued intensive consultations with the Independent High Electoral Commission, the Government of Iraq and members of the Iraq Council of Representatives to ensure the timely passage of a new election law. Passage of the law has been delayed owing to continuing discussions with political leaders on the status of Kirkuk, the election formula and provisions for the inclusion of women candidates on the ballot. In lieu of a new election law, the Independent High Electoral Commission approved voter registration eligibility criteria to ensure that the voter registration update could proceed as planned. The eligibility criteria give internally displaced persons the opportunity to register to vote in absentia. However, the Council of Representatives must adopt the new election law by the end of July in order to hold governorate council elections in 2008. Further slippage in the political timelines for passing key legislation will have a direct impact on electoral preparations.

22. During the reporting period, the Independent High Electoral Commission reached a number of operational milestones, most importantly solidifying a field structure needed to administer election activities throughout the country. In late May, the Commission appointed the eight remaining directors of the governorate election offices following a UNAMI-led selection process conducted by a panel of international experts. In addition, the Commission, with UNAMI support, selected and trained nearly 8,000 staff to provide voter registration services at 564 centres nationwide. Additional activities of the Commission included consultations with Iraqi civil society to encourage the registration of political entities and coalitions. UNAMI has also supported the Commission in putting in place transparent processes and strong oversight mechanisms and is encouraging the participation of domestic and party observers, who numbered in the hundreds of thousands in prior elections. More than 500 political party entities and coalitions have registered with the Commission to participate in the governorate council elections. The Commission, assisted by UNAMI, also developed a comprehensive public outreach strategy to inform Iraqis about voter registration and elections.

Constitutional support activities

23. The constitutional review process continues to face deadlock over the disputed issues being considered by the Constitutional Review Committee, such as the powers of the presidency, the powers of regions and governorates and oil and gas provisions. Committee members have expressed the view that those issues are [illegible]

The Chair of the Committee, Sheikh Humam Hammoudi, indicated to the UNAMI Office of Constitutional Support that the Committee may request a further extension of its mandate until the end of the year to address outstanding constitutional issues. In the meantime, it is anticipated that the Committee will finalize its report on the progress of the constitutional review, including an outline of those constitutional articles which it has been able to agree upon and those on which it has been unable to reach a consensus. The report is expected to be submitted to the Iraqi presidency and the President of the Kurdistan regional government shortly.

24. In early June the Director for Political, Peacekeeping and Humanitarian Affairs and former Director of the Office of Constitutional Support at UNAMI visited Baghdad and met with high-level interlocutors such as members of the Iraqi Presidency Council and the Constitutional Review Committee to discuss, among other issues, the constitutional review stalemate, options for moving the process forward and the technical basis for possible solutions. The Office of Constitutional Support suggested to the Iraqi leadership the need to identify linkages between issues, including disputed internal boundaries and a hydrocarbon revenue-sharing mechanism, in an attempt to produce a comprehensive political agreement on the constitutional amendments.

25. The Office of Constitutional Support continued to co-chair the International Legislative Round Table. Its seventh session was organized on 30 April on the theme of hydrocarbons, including both the legal and economic dimensions. In preparation for future round table discussions, meetings were held on 14 to 15 July to bring together representatives from key line ministries, including from the Ministry of Water Resources, and technical experts.

Human rights activities

26. The human rights situation in Iraq remains serious, although violations were less widely reported. Despite improved security conditions in Baghdad, Amarah and Mosul after operations against armed militias, UNAMI remained concerned about the physical safety and legal protection of hundreds of suspects arrested, as well as detention conditions and lack of due process following detention. Those apparently rounded up as suspects included a number of children.

27. During the military crackdown by Iraq and the multinational force in Iraq against militias in Sadr City in April and May, there was heavy fighting in this densely populated urban environment. According to several estimates, more than half of the 1,000 reportedly killed may have been civilians. Yet the real scale of civilian casualties was difficult to assess in the aftermath of the conflict, as most casualty data were not made available. UNAMI continued to investigate reports of incidents in which civilians were apparently targeted or where all sides to the conflict may have failed to make the distinction between combatants and civilians. This includes possible disproportionate attacks on civilian areas.

28. Numerous instances of abduction were reported, followed by ransom demands or killings, as were assassinations of targeted individuals, among them public officials. Journalists, educators, medical doctors, judges and lawyers remained prime targets for armed militia and criminal gangs. In another attempt to undermine the rule of law and the judiciary, coordinated bomb attacks on five judges took place in eastern Baghdad on 30 June and 1 July. On 2 July a sixth judge was attacked in

"accidents" and other suspected "honour crimes" also continued to be documented in the region of Kurdistan. The United Nations country team contributed to a report on gender-based violence in Iraq. A database containing more than 400 published reports revealed more than 21,000 cases in Iraq over the past five years. Given the severe and often fatal consequences for victims who report acts of sexual violence, the analysis indicates that only a fraction of the incidents are known.

29. The continuing conflict and resulting psycho-social impact of violence and deprivation on millions of Iraqi children is of tremendous concern. Violations against children are being committed on a large scale and include child recruitment, attacks on schools and hospitals, killing and maiming by indiscriminate attacks and lack of humanitarian access due to insecure conditions. Approximately 1,500 children are known to be held in detention facilities for alleged association with armed groups and in centres where they are mixed with adults. My Special Representative on Children and Armed Conflict visited Iraq from 20 to 25 April 2008 to gain a first-hand understanding of the situation of children and to advocate for better protection of conflict-affected children. She noted that Iraqi children lacked access to education, health care and clean water. She was also very concerned by the use of children by armed groups as spies or messengers and, even more troubling, as soldiers and bomb planters or carriers. She met with high officials of the Government to assess how best to improve the protection of children in Iraq. In her discussions with UNAMI, it was agreed that greater efforts should be made on behalf of the Mission to address those issues through the appointment of child protection advisers. It was also agreed that consideration would be given to how the United Nations system could better monitor, assess and respond to human rights violations against children.

30. UNAMI continued to urge Iraqi Government officials to take effective and adequate measures to combat impunity, prosecute perpetrators of past human rights abuses and address the grievances of their victims. Concerns remain about reports of ongoing ill-treatment and torture of detainees by Iraqi law enforcement authorities and the denial of due process in criminal proceedings. The UNAMI Human Rights Office maintained its monitoring activities of criminal proceedings before the central criminal court of Iraq and criminal courts in the Kurdistan region, as well as visits to detention facilities under the authority of the Iraqi Government and the Kurdish authorities. By late June, UNAMI was seeking further information on the implementation of the general amnesty law, which entered into force on 27 February 2008. According to data provided by the Higher Judicial Council, as at 4 June some 86,214 persons were considered eligible under the terms of the amnesty, of whom 67,094 were released on bail or remained at large, while 19,120 others were detainees and convicted prisoners. It was unclear how many of those in the latter category had actually been released or whether they included detainees held in the custody of the multinational force in Iraq on criminal charges.

31. UNAMI continued to conduct field visits in the Kurdistan region, including to detention facilities, and to work with governmental and civil society counterparts on a range of human rights issues. These frequent and intensive contacts resulted in a number of positive changes and measures taken by the regional authorities aimed at improving the conduct of its law enforcement officials. Similar efforts are ongoing to expand the Mission's scope of activity at the governorate level elsewhere in Iraq, including Ramadi and Najaf, where the Human Rights Office participated in assessment missions.

32. The UNAMI programme of capacity-building and training for Government officials and civil society groups remained active. In a project launched recently by UNDP, with significant participation by the UNAMI Human Rights Office, plans are under way to establish model "pilot" courts to ensure a higher standard of judicial administration in Baghdad, Arbil and Basra. The project will also assist the Judicial Training Institute in curriculum development. In partnership with the Iraqi Bar Association, it will also set up legal aid clinics. Capacity-building and training activities were organized recently by UNAMI in the areas of human rights monitoring techniques for personnel of the Ministry of Human Rights, human rights mainstreaming for Iraqi Government officials and transitional justice concepts for Iraqi journalists. The Human Rights Office also continued to advise Government officials and parliamentarians on relevant draft legislation, including the draft law to establish an independent national Human Rights Commission.

Humanitarian assistance, reconstruction and development

33. At the first Iraq Compact Annual Review Conference, the Government of Iraq acceded to the Paris Declaration on aid effectiveness and additional items were agreed, including co-financing mechanisms, bilateral debt relief and support for the Extractive Industries Transparency Initiative. UNAMI will continue to support the International Compact with Iraq secretariat in Baghdad and will undertake a review of its management to increase its effectiveness. Meanwhile, the United Nations country team will continue to align programmes with the International Compact with Iraq and review United Nations system programming to ensure greater Iraqi involvement.

34. The United Nations country team has developed an assistance strategy for Iraq for 2008-2010, which was presented to the Ministry of Planning and Development in April. By June, the strategy had received approval from an interministerial committee within the Government. Key to the new approach is the co-financing of projects between United Nations programmes, funds and agencies and the Government, aimed at leveraging Iraqi resources with United Nations technical support and capacity-building. United Nations agencies and their implementing partners have successfully concluded more than 60 projects, with an estimated 20 more to be completed during the next reporting period. In addition, increased capacity to undertake monitoring, evaluation and data-sharing has been achieved through support from donors and the UNDP Multi-Donor Trust Fund Office. I am grateful for the support of the International Reconstruction Fund Facility for Iraq Donor Committee and the Government of Iraq in the effort to ensure targeted programming through evidence-based policy for the remaining $250 million in the United Nations Development Group (UNDG) Iraq Trust Fund in support of the International Compact with Iraq and the national development strategy.

35. UNAMI continues to support the United Nations country team in expanding its humanitarian, reconstruction and development activities inside Iraq in line with Security Council resolution 1770 (2007). Both the Office of the United Nations High Commissioner for Refugees (UNHCR) and the World Health Organization (WHO) have now stationed representatives permanently in Baghdad. Offices in Arbil and Basra were also reinforced with additional staff.

36. The Iraq 2008 consolidated appeal for $267 million is 47 per cent funded, with $127 million. This amount includes a contribution by the Government of Iraq of

$40 million to the World Food Programme (WFP) to fund internally displaced Iraqis who are particularly vulnerable and the $8 million Iraq donated to UNHCR in Jordan for Iraqi refugees. Funding levels vary across sectors, with the most underfunded being health, water and sanitation, education, and agriculture and food security, which have received only about 13 per cent of the funding necessary for the delivery of essential services. Limited financial support has been received by non-governmental organizations participating in the consolidated appeal process, which is of concern, as their operations are crucial for reaching communities inside Iraq. I would like to thank the Governments of the United States, the United Kingdom of Great Britain and Northern Ireland, Canada and other donors for their continued support to the consolidated appeal process.

37. Twenty-three Iraqi and international non-governmental organization projects were funded in the first half of 2008 by the Expanded Humanitarian Response Fund for Iraq, with grants of up to $400,000 to deliver emergency relief assistance to the most vulnerable Iraqis or those most affected by conflict. To date, 24 per cent of the $20 million requested ($4.8 million) has been contributed. The current balance stands at $1.7 million, and further funds are urgently needed. In June, an independent evaluation was carried out to further strengthen the efficiency, response capacity and transparency of the Fund. I would like to thank the Governments of Norway, the United Kingdom and Canada for their contributions during 2008.

38. Major security operations in Sadr City, Mosul and Amarah during the period under review prompted the United Nations country team to work closely on contingency plans for humanitarian emergency response. Access to basic commodities was at risk, particularly in Sadr City, where violence led to the temporary displacement of approximately 4,700 families. UNAMI engaged in targeted advocacy with the Government, the multinational force, Iraqi Security Forces and other actors to ensure humanitarian access prior to and during security operations. The coordination of the Office for the Coordination of Humanitarian Affairs with the International Committee of the Red Cross and other non-governmental organizations was important for unified country team monitoring and analysis. During the immediate response phase in the most acute of the three crises, the United Nations delivered water and sanitation assistance for an estimated 120,000 families in Sadr City. Sanitation agencies supplied 10 million litres of safe water to residents and hospitals, as well as water hygiene/purification kits. UNHCR provided non-food items to internally displaced persons and supported the repair of some 300 conflict-affected houses and shops in the Sadr City and Shula districts of Baghdad. WFP delivered 296 tons of emergency food to 38,500 residents of Sadr City, and the International Organization for Migration (IOM) delivered 2,000 food baskets to hospitals in Sadr City and Shula. In addition, 1,500 food baskets were delivered to hospitals in Basra, Wassit, Babylon and Qadisiyah. In other interventions throughout the country WFP, together with non-governmental organization partners, reached 480,000 persons with food assistance during the reporting period. A further 42,500 persons were assisted in partnership with IOM. Currently, the United Nations country team has 15 water and sanitation rehabilitation projects in nine governorates at various stages of completion, benefiting approximately 3.5 million persons.

39. According to UNHCR and IOM, refugees and internally displaced persons continue to return to their places of origin at a steady rate of some 10,000 persons a month, and there has been no major incidence of displacement during the last

quarter. United Nations country team protection activities were led by UNHCR, the UNAMI Human Rights Office, the Office for the Coordination of Humanitarian Affairs and the United Nations Children's Fund (UNICEF) in cooperation with national and international non-governmental organizations. The protection sector has provided considerable technical support to the Ministry of Displacement and Migration in finalizing a national policy on internal displacement, scheduled to come into effect in July. Support to governorate branches of the Ministry, a project to strengthen emergency preparedness at the governorate level and assisting UNHCR-funded protection and assistance centres have been key country-wide activities. The protection of refugees in Iraq continued with the registration of Palestinian refugees in Baghdad (9,585 refugees as at 26 May).

40. The Ministry of Health, in collaboration with the Parliament and United Nations country team agencies working in the area of health, held the first national health system conference in June, during which a vision for health sector policy reform was adopted and an increase in the national health budget was recommended. The Government reaffirmed its commitment to improve primary health care and its intention to provide quality public health services in line with international health standards.

41. WHO and UNICEF supported a vaccination drive for 239,000 children, which contained a measles outbreak. In April the cholera preparedness plan was revised and implemented by the Ministry of Health. In April, UNDP, WHO and UNICEF facilitated an international conference to address the delivery of basic social services in the Kurdistan region and reduce the risk of outbreaks of cholera and other waterborne diseases. WHO led health education campaigns in schools throughout the country and conducted psycho-social interventions and health screening of doctors and teachers in 150 schools across eight governorates.

42. The United Nations country team shelter sector coordinated response efforts to meet the urgent needs of internally displaced persons, including the distribution of non-food items and the rehabilitation of homes or commercial spaces. UNHCR, in conjunction with implementing partners, rehabilitated 311 housing units in Baghdad, including Sadr City, with another 300 being completed or under way in Basra and Mosul. Advocacy on the part of the United Nations Human Settlements Programme (UN-Habitat) resulted in the establishment of an emergency shelter committee and the allocation of $12 million by the Ministry of Construction and Housing for house rehabilitation in Sadr City. UN-Habitat has supported the development of the institutional capacity of the Ministry of Housing.

43. In addition to 17 ongoing education projects funded by the International Reconstruction Fund Facility for Iraq, United Nations country team agencies working in the area of education started repairs on 14 out of 22 damaged schools in Sadr City. In Basra, the Ministry of Education reported 49 affected schools, 5 of which were being repaired by UN-Habitat. UN-Habitat is also working on schools in Najaf and Samawa, while UNICEF has projects in Sadr City, Babylon, Karbala, Missan and Kirkuk. UNICEF continues to focus on accelerated learning programmes for students whose education has been interrupted.

44. In May, United Nations country team agencies with expertise in agriculture facilitated the training of staff at the Ministry of Agriculture, working closely with members of the State Board for Agricultural Research and the State Board for Seed

To improve agricultural productivity, a study on the rehabilitation and maintenance of traditional irrigation systems was completed and a database created for information on pumping stations affecting 110 irrigation and 78 drainage stations. Training in good agricultural practices in the Syrian Arab Republic was accomplished for the date palm sector.

45. Agencies now working on economic reform and diversification include UNDP, the International Labour Organization, the United Nations Industrial Development Organization, the Food and Agriculture Organization of the United Nations, IOM and UNOPS, as well as international non-governmental organizations. Following discussions with the Government, those agencies have prioritized their activities within a framework of a private sector development programme, which began promoting reform and diversification through private enterprise and sustainable employment. The first meeting of the high-level round table on economic reform took place on 1 and 2 July with the participation of key ministries and other economic institutions. The meeting established a coordination mechanism on economic reform to enable the Government to better articulate its partnership with the United Nations, donors, the Organization for Economic Cooperation and Development (OECD), the World Bank and the International Monetary Fund, in line with the International Compact with Iraq.

46. On 7 July, the seventh International Reconstruction Fund Facility for Iraq Donor Committee meeting was held for the first time in Baghdad and was attended by the Deputy Special Representative for Humanitarian Affairs and many members of the United Nations country team. The main focus of the meeting was on defining the strategic direction of the Facility. Donors reiterated their support for the Facility as a means of providing capacity development and technical assistance to the Government of Iraq and welcomed efforts by the United Nations to restructure its coordination mechanism and refocus its strategic programming to ensure its alignment with the International Compact.

47. As at 30 June 2008, the total contribution to the UNDG Iraq Trust Fund, one of the two funds of the International Reconstruction Fund Facility for Iraq, equalled $1.34 billion. A total of 141 projects valued at $1.11 billion had been approved for funding under the Trust Fund. Continuing the significant progress in implementation, commitments worth cumulatively $873 million (79 per cent of approved funding) had been entered into and $757 million (68 per cent of approved funding) had been disbursed as at 31 May. Monthly financial updates are made available on the Facility's website (www.irffi.org). Contributions in the second quarter to the UNDG Trust Fund included $4.7 million from the Government of Australia.

Operational, logistical and security issues

48. During the reporting period and for the 2009 budget submission, the Mission prepared projects for the next year, such as the construction of a new UNAMI integrated headquarters in Baghdad, which is subject to the approval of the General Assembly. In that connection, UNAMI received a letter from the Government of Iraq in June granting its approval for the Mission to use a parcel of land for the next 25 years on which the new United Nations integrated headquarters will be built. Meanwhile, construction of overhead protection at the UNAMI interim accommodation facility in Baghdad has been completed.

49. Support to the Mission to facilitate engagement with Iraqi interlocutors under Security Council resolution 1770 (2007) has been provided during the reporting period. Assessment visits to discuss the possibility of expanding the United Nations presence have been conducted in Najaf, Mosul and Ramadi. The Logistics Civilian Augmentation Programme and the related "607 agreement" with the multinational force in Iraq are being considered as the basis for supporting such expansion. In addition to the UNAMI regional office in Arbil and the presence in Basra, the newly established presence in Kirkuk has provided improved support for outreach on political affairs, human rights, humanitarian affairs, reconstruction and development.

50. Nationally, the number of violent incidents recorded declined during the reporting period to 40 to 50 attacks a day, excluding areas of declared military operations. The impact has been particularly notable in Baghdad, where much of the day-to-day fighting has now subsided. However, in recent weeks, attacks have targeted local Government facilities, where meetings have been held with the multinational force in Iraq or civilian international partners. On 26 June, a WHO national staff member was very seriously injured when an improvised explosive device detonated under his private vehicle in Baghdad.

51. Only 1 indirect fire attack occurred in June against the International Zone, compared with 50 strikes in April and May. Such incidents in Baghdad are usually tied to Shia militia groups operating in and around Sadr City. Widespread military control measures and restraint urged by the Sadrist bloc are the key factors responsible for this dramatic drop in attacks on the International Zone and other locations. Nevertheless, the capability of armed opposition groups to launch indirect fire attacks remains. Notably, during the period under review there were sporadic indirect fire attacks against Basra air station, which continued to threaten the safety of UNAMI staff members at that location.

52. Diyala Province in north-central Iraq continued to experience daily attacks against Government, security and international elements. Similar patterns were observed in Kirkuk, where targeted assassinations occurred against law enforcement and other officials. Ansar al-Sunnah and numerous other affiliates are still present and capable of carrying out deadly attacks. The western region continues to attract low levels of violent activity, with support from the local community in identifying suspicious activity and alerting the Iraqi Security Forces or multinational force in Iraq. However, Al-Qaida in Iraq maintains a presence in Anbar, and appears intent on continuing attacks against tribal groups that are cooperating with the local or international security forces.

53. The UNAMI Safety and Security Unit continues to enhance its capabilities, improve its operational self-reliance and expand its capacity by recruiting suitably qualified protection officers. However, further strengthening of the Unit will be required in the coming months to meet the many operational demands being placed on it.

54. Since my previous report, the United Nations has received further financial contributions to support the "distinct entity" that operates under the command of the multinational force and has a dedicated mission to provide security for UNAMI. I would like to thank Germany and Finland for their intentions to contribute $500,000 and €500,000 respectively to the distinct entity trust fund. These important

contributions will help to ensure that the distinct entity is well-resourced until early 2009.

IV. Agreements

55. The presence of the multinational force in Iraq is currently authorized by the Security Council at the request of the Government of Iraq, and, as stated in resolutions 1546 (2004), 1637 (2005) and 1723 (2006), the Council will review the mandate at the request of the Government. Bilateral discussions between the Governments of Iraq and of the United States are currently taking place with regard to a status-of-forces agreement. It should be recalled that in accordance with resolutions 1546 (2004), 1637 (2005), 1723 (2006) and 1770 (2007), security is essential in order for the United Nations to be able to function in Iraq. It is therefore necessary that any new arrangements beyond 31 December 2008 take into account the security of the United Nations presence in Iraq.

V. Observations

56. Thanks to concerted political and military efforts over the past three months, there has been continued improvement in the security situation across Iraq. However, the gains made so far need to be sustained through meaningful political dialogue and national reconciliation. Time is of the essence, and Iraq can no longer afford continued delays in finding viable political solutions. Long-term stability will require significant political buy-in from all segments of the population, many of which are not yet fully engaged in the political process.

57. UNAMI will continue to assist the Independent High Electoral Commission in planning to conduct governorate council elections that will be seen as credible and fair and will be accepted by the Iraqi people. For elections to take place in 2008, the electoral law must be passed by the end of July. I call upon the members of the Council of Representatives to reach agreement on the draft law as soon as possible. I am convinced that holding elections this year is an important political development for Iraq, and failure to pass the requisite law in time would deprive Iraqis of the possibility of participating in local political life and voting this year, which could alienate a number of communities.

58. I am also hopeful that Iraq will take further steps to strengthen its human rights protection system so that improvements to public safety do not come at the expense of civic freedoms or the protection of civilians in accordance with international humanitarian law. All security forces in Iraq must continue to do their utmost to avoid civilian casualties and the disproportionate use of force in civilian areas. The wider human rights situation in Iraq also continues to be alarming. Abductions followed by ransom demands or killings and assassinations of targeted individuals persist. Journalists, educators, doctors, judges and lawyers remain prime targets for armed militia and criminal gangs. Gender-based violence in Iraq is also a deep concern.

59. The issue of disputed internal boundaries remains a priority for the Mission. UNAMI has worked assiduously to carry out its assistance mandate in this area with a view to preventing conflict and facilitating constructive political dialogue. I

strongly encourage Iraqi authorities and political stakeholders to explore opportunities that will be presented through the forthcoming UNAMI efforts to move forward on the delicate issue of disputed internal boundaries. In addition to consulting with Government authorities, UNAMI has taken care to work closely with all affected populations, and especially minority groups, to ensure that their views are taken into consideration through an impartial analysis. I am hopeful that Iraqi solutions, once formulated, will in the end be acceptable to all.

60. As this process is set to continue in the coming months, linkages with outstanding constitutional issues will be actively explored to reach a comprehensive solution on a range of issues, such as power-sharing and wealth-sharing. The Government of Iraq and the United Nations will continue to strive for a credible constitutional reform process. UNAMI is prepared to offer additional expertise and provide platforms for political dialogue that promote stable State administration and a more functional constitutional order. The aim is to encourage the parties concerned to see the wisdom of finding collective solutions rather than unilateral ones, which have the best chances of ensuring a lasting peace.

61. The success of the Stockholm conference on the International Compact with Iraq, with over 100 delegations attending, sent a strong message of support to the Government of Iraq and its people for pursuing a course towards economic reform, security consolidation and political regeneration in the country. Those steps can serve as an important basis for tackling the most daunting challenges facing the country. The Government of Iraq has made it clear that it needs advice and partnership to tap into its considerable human and material resources and not merely additional international funding. Rising levels of oil income also offer an opportunity to improve the management and accountability of the country's financial resources. In this context, I encourage Member States and the Government of Iraq to redouble their efforts to ensure further progress in the implementation of the Compact.

62. Priority must be given to addressing the basic needs of Iraqis. The provision of essential services is still lacking, fuel shortages remain widespread in a country with vast oil reserves and job creation remains vital. Although Iraq forecasts around 7 per cent growth for 2008, the new wealth has not lifted many Iraqis out of poverty or reduced unemployment levels. Meanwhile, the public sector has doubled to over 2 million employees. It is in this context that I am pleased to announce a new United Nations programme, led by UNDP in conjunction with the Government of Iraq, which is about to begin to help create jobs and address the obstacles that impede businesses from expanding and developing. This is being done with the backing of OECD. I am also pleased that UNHCR and WHO have now stationed their heads of office permanently in Baghdad, and that the United Nations country team continues to expand its presence and activities inside Iraq. I encourage them to continue this trend.

63. Increased oil revenues are providing the Government of Iraq with new-found resources to assist the people of Iraq. In this regard, while new commitments by the Government for relief for internally displaced persons are very much welcomed, I would urge the Government to develop modalities to assist the Iraqi refugee community in the region in concert with neighbouring host countries, which have already shouldered a great burden for many years.

64. The growing number of Arab States that have expressed their willingness to re-establish a diplomatic presence in Baghdad is a positive development. The decision of the United Arab Emirates to forgive Iraqi debt is a strong step that I hope is taken by others in the region. I very much hope that efforts to promote coordination and cooperation on regional stability will intensify.

65. I would like to commend the Government of Iraq for responding to this challenge by further developing its ad hoc support mechanism for regional dialogue. The Iraqi Foreign Ministry is committed to enhancing its capabilities for professional servicing and follow-up of regional ministerial meetings and technical working groups. UNAMI will continue to provide more technical assistance to the process and to use its good offices to strengthen relations between Iraq and its neighbours through mutually beneficial partnerships.

66. During the reporting period, UNAMI has made progress in increasing its self-reliance. However, the Mission still depends on Member States for security, logistical, operational and financial support. I am grateful to those Member States, and in particular to Georgia, Fiji, the Republic of Korea, South Africa and Ukraine, for providing security and operational support. I would also like to encourage Member States to consider a request to provide UNAMI with additional military advisers, who are essential for the planned expansion of the Mission's presence and activities beyond its current locations in Iraq.

67. I wish to express my sincere appreciation to my Special Representative for Iraq, Staffan de Mistura, for his commitment and dynamic leadership. I would also like to extend my special thanks to the Mission's national and international staff, as well as the personnel of United Nations agencies, programmes and funds, for their dedicated work in fulfilling their mandated tasks under difficult conditions.